California Department of Education

Charter Schools Division

Revised 1/2020

accs-apr21item04

Attachment 1

# CHARTER SCHOOL PETITION REVIEW FORM: Prepa Tec Los Angeles High

## KEY INFORMATION OF SCHOOL

### Proposed Grade Span and Build-Out Plan

**Table 1: 2021–26 Proposed Enrollment**

| **Grade** | **2021–22** | **2022–23** | **2023–24** | **2024–25** |
| --- | --- | --- | --- | --- |
| **9** | 93 | 95 | 95 | 95 |
| **10** | 93 | 95 | 95 | 95 |
| **11** | 93 | 95 | 95 | 95 |
| **12** | 91 | 95 | 95 | 95 |
| **Total** | 370 | 380 | 380 | 380 |

The California Department of Education (CDE) notes that the updated budget submitted by the school did not include enrollment for fiscal year 2025–26.

### Proposed Location

Prepa Tech Los Angeles High (PTLAH) currently serves approximately 370 pupils in grade nine through grade twelve at a private leased facility located at 4210 Gage Avenue, Bell, California.

### Brief History

On December 12, 2020, the Los Angeles Unified School District (LAUSD) voted to deny the PTLAH petition by a vote of five to zero.

The petitioner submitted the PTLAH petition on appeal to the State Board of Education (SBE) on January 8, 2021.

### Lead Petitioner

Xavier Reyes, Chief Executive Officer

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

*EC*—California *Education Code*NA—Not Applicable
\*Only applicable to an appeal for the establishment of a charter school

| Charter Elements | *EC* Section(s) | Meets Requirements (Yes/No) |
| --- | --- | --- |
| Sound Educational Practice | 47605(c) and (c)(1) | No |
| Ability to Successfully Implement | 47605(c)(2) | No |
| Required Number of Signatures | 47605(c)(3) | NA |
| Affirmation of Specified Conditions | 47605(c)(4) and (e) | Yes |
| Exclusive Public-School Employer | 47605(c)(6) | Yes |
| \*Interests of the Entire Community | 47605(c)(7) | NA |
| \*Fiscal Impact | 47605(c)(8) | NA |
| 1. Description of Educational Program
 | 47605(c)(5)(A) | No |
| 1. Measurable Pupil Outcomes
 | 47605(c)(5)(B) | Yes |
| 1. Method for Measuring Pupil Progress
 | 47605(c)(5)(C) | Yes |
| 1. Governance Structure
 | 47605(c)(5)(D) | No |
| 1. Employee Qualifications
 | 47605(c)(5)(E) | Yes |
| 1. Health and Safety Procedures
 | 47605(c)(5)(F) | Yes |
| 1. Racial and Ethnic Balance
 | 47605(c)(5)(G) | Yes |
| 1. Admission Requirements
 | 47605(c)(5)(H) | Yes |
| 1. Annual Independent Financial Audits
 | 47605(c)(5)(I) | Yes |
| 1. Suspension and Expulsion Procedures
 | 47605(c)(5)(J) | Yes |
| 1. Retirement Coverage
 | 47605(c)(5)(K) | Yes |
| 1. Public School Attendance Alternatives
 | 47605(c)(5)(L) | Yes |
| 1. Post-Employment Rights of Employees
 | 47605(b)(5)(M) | Yes |
| 1. Dispute Resolution Procedures
 | 47605(c)(5)(N) | Yes |
| 1. Closure Procedures
 | 47605(c)(5)(O) | Yes |
| Standards, Assessments, and Parent Consultation | 47605(d)(1) and (2) | Yes |
| Effect on Authorizer and Financial Projections | 47605(h) | Yes |
| Teacher Credentialing | 47605(l) | Yes |
| Transmission of Audit Report | 47605(m) | Yes |
| Goals to Address the Eight State Priorities | 47605(c)(5)(A)(ii) | Yes |
| Transferability of Secondary Courses | 47605 (c)(5)(A)(iii) | Yes |

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

### Sound Educational Practice

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

*California Code of Regulations*, Title 5(5 *CCR*) sections 11967.5.1(a) and (b)

#### Evaluation Criteria

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

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

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

**The charter petition is not “consistent with sound educational practice.”**

#### Comments

The PTLAH petition is not consistent with sound educational practice (Attachment 3).

While the majority of the educational program is sound, the CDE finds that the lack of an English learner curriculum is problematic and does not align with a complete educational program. Additionally, as the PTLAH petition does not include reasonable descriptions of all charter elements, the CDE finds that the PTLAH petition is not entirely consistent with sound educational practice.

##### Renewal Criteria

Assembly Bill 1505 (Statutes of 2019) amended *EC* Section 47607, and added *EC* Section 47607.2, which changed the criteria for charter renewal. Based on these new legislative changes, two criteria are used to determine the performance category (i.e., high, middle, or low) of a charter school. The California School Dashboard measures performance for state indicators through a combination of current performance and improvement over time, which both provide equal weight. A performance level (color) is assigned based on the current performance and improvement over time. Color levels on the California School Dashboard range from Red, Orange, Yellow, Green, and Blue, with Blue representing highest performance and Red representing lowest performance.

The modifications made to the charter school renewal process by AB 1505 include a presumption for renewal for high performing charters, a presumption for nonrenewal for low performing charters, and a standard for those charters who fall in between. Two criteria determine the performance category of a charter school: Criterion 1 is based on the colors received by the school for all state indicators on the California School Dashboard. Criterion 2 is based on the performance levels schoolwide and majority of subgroups as compared to the state average for all academic indicators with a color for the two previous California School Dashboard years.

Based on the aforementioned criteria, the CDE has designated PTLAH as middle performing (<https://www.cde.ca.gov/sp/ch/documents/ab1505results2020.xlsx>). A middle performing charter school qualifies for a five-year renewal term. Pursuant to *EC* Section 47607.2(b)(2), the chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant renewal of a charter school designated as middle performing. Measurements of academic performance include the test-based indicators for English language arts (ELA) and mathematics (math), the English Language Progress Indicator (ELPI), and the College and Career Indicator (CCI).

A chartering authority may deny renewal of a charter school in the middle tier only upon making a specific written finding that the school has failed to make sufficient progress toward meeting standards that provide a benefit to the school’s pupils, that closure of the school is in the pupils’ best interests, and that the decision provided greater weight to performance on measurements of academic performance—the test-based indicators in ELA, math, ELPI, and CCI, pursuant to *EC* Section 47607.2(b)(3).

###### Verifiable Data

CDE’s Consideration of Performance Criteria

The CDE was unable to determine if PTLAH met the applicable academic renewal criteria pursuant to *EC* Section 47607(b) based on California Assessment of Student Performance and Progress (CAASPP) scores as the charter school only has one year of data and does not report any colors on the California School Dashboard as of yet. The lack of data is due to the fact that PTLAH opened in school year (SY) 2016–17 with ninth-grade pupils. Since SY 2016–17, PTLAH has added a grade level each year. As CAASPP is administered to eleventh-grade pupils, PTLAH has CAASPP data for only SY 2018–19. CAASPP was not administered for SY 2019–20 due to the COVID-19 Pandemic school closures.

2018–19 CAASPP Results for PTLAH (Percent Met or Exceeded Standards)

| School | 2018–19 ELA | 2018–19 Math |
| --- | --- | --- |
| PTLAH | 25 | 3 |

PTLAH’s Consideration of Performance Criteria

The petitioner was not able complete CAASPP data comparison analyses for PTLAH and LAUSD comparable schools due to the fact that PTLAH has only one year of CAASPP data.

LAUSD’s Consideration of Performance Criteria

LAUSD was not able to review the California School Dashboard for PTLAH for ELA, math, and College and Career Readiness due to the fact that PTLAH has only one year of CAASPP data.

###### Verified Data

*EC* Section 47607.2(b)(3) provides, in addition to the state and local indicators, the chartering authority shall consider clear and convincing evidence showing either of the following:

1. The school achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school;
2. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

The SBE, at its November 2020 meeting, approved the criteria to define verified data, and the list of valid and reliable assessments and measures of postsecondary outcomes. Information regarding verified data criteria, data use procedures, adopted assessments, and postsecondary indicators is available on the CDE Verified Data web page at <https://www.cde.ca.gov/sp/ch/verifdata.asp>.

Pursuant to *EC* Section 47607.2(c)(1), verified data is defined as follows: “data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced. Verified data shall include measures of postsecondary outcomes.”

CDE’s Consideration of Verified Data

The CDE reviewed the following verifiable data that the petitioner included as criteria for charter renewal:

* California School Dashboard data for ELA, mathematics, chronic absenteeism rates, suspension rates, and English Learner Progress Indicator (ELPI)
* Northwest Education Association (NWEA) Measurable Academic Progress (MAP) Data

California School Dashboard Data

The 2019 California School Dashboard reflects PTLAH’s performance under California’s accountability system as follows: ELA, 65.7 points below standard (No Color); math, 169.8 points below standard (No Color); and suspension rate, 1.5 percent suspended at least once (Blue).

Regarding chronic absenteeism rate, the California School Dashboard shows no data for PTLAH. PTLAH did not have a graduating class until 2020; therefore, the California School Dashboard does not show graduation rates.

PTLAH Suspension Rates

| 2017 Suspension Rate | 2018 Suspension Rate | 2019 Suspension Rate |
| --- | --- | --- |
| No Data, No Data | Red, 6.5 percent suspended at least once | Blue, 1.5 percent suspended at least once |

The California School Dashboard data shows that the PTLAH suspension rate improved from 6.5 percent (red) to 1.5 percent (blue) in SY 2018–19.

English Learner Progress Indicator

The 2019 California School Dashboard was the first year the ELPI was reported. The ELPI is calculated based on a student’s performance on the English Language Proficiency Assessments for California (ELPAC). Schools received Status results only on the 2019 California School Dashboard.

The data for the 2019 ELPI show that 43 percent of PTLAH English learner pupils are making progress toward English language proficiency.

NWEA Data

ELA and Reading Data

The following table shows the percentage of pupils that met or exceeded standards on the 2016–17 through 2019–20 NWEA MAP Growth for PTLAH by pupil group for ELA.

An asterisk (\*) indicates that less than 10 pupils were assessed. In cases where less than 10 pupils were assessed, the data have been suppressed in order to protect pupil privacy.

Winter to Winter NWEA ELA 4-Year Comparison, Class of 2020 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2016–17 | 210.7 | 215.8 | 188.2 | 188.4 |
| 2017–18 | 215.8 | 215.7 | 199.1 | 201.1 |
| 2018–19 | 216.2 | 199.1 | \* | 202 |
| 2019–20 | 216.9 | 201.1 | \* | 205.8 |

The data show an increase in scores for all pupils and English learners. There was an increase in scores for pupils with disabilities from SY 2016–17 to SY 2017–18. However, there was a decrease in scores for socioeconomically disadvantaged pupils in SY 2018–19.

Fall to Fall NWEA ELA 3-Year Comparison, Class of 2021 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2017–18 | 208.2 | 212.0 | 206.0 | 191.3 |
| 2018–19 | 208.2 | 211.6 | 203.3 | 195.6 |
| 2019–20 | 206.0 | 203.3 | 208.0 | 203.8 |

The data show an increase in scores for pupils with disabilities and English learners from SY 2017–18 to SY 2019–20. There was a decrease in scores for all pupils and for socioeconomically disadvantaged pupils over the course of SY 2017–18 through SY 2019–20.

Winter to Winter NWEA ELA 2-Year Comparison, Class of 2022 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2018–19 | 208.2 | 209.6 | \* | 194.9 |
| 2019–20 | 211.9 | 212.7 | \* | 193.0 |

The data show an increase in scores for all pupils and socioeconomically disadvantaged pupils from SY 2018–19 to SY 2019–20. English learners showed a slight decrease in scores. No data was available for pupils with disabilities for these years.

RIT Growth

One measurement tool for the NWEA assessments uses the RIT (Rasch unit) model scale to measure and compare academic growth. Specifically, the scale measures levels in academic difficulty. The RIT scale extends equally across all grades, making it possible to compare a student's score at various points throughout his or her education.

For example, a student who grows from 165 to 170 shows the same amount of instructional growth as a student who improves from 280 to 285—5 RIT points of growth. Because the RIT score is consistent, it can be used to accurately measure a student’s growth over a period of time.

In addition, a RIT score of 3 in two sequential years means a pupil grew 3 RIT points and then an additional 3 RIT points the following year. It is akin to measuring a child’s height annually.

The National Percentile score ranks pupils’ raw scores from highest to lowest and shows where an individual’s raw score falls in comparison.

* 1–4: lowest
* 5–10: low
* 11–22: well below average
* 23–40: slightly below average
* 41–59: average
* 60–77: slightly above average
* 78–89: well above average
* 90–95: high
* 96–99: highest

Fall NWEA Data ELA-Reading, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 3 | 3 | 0 | 3 |
| National Percentile | 39 | 46 | 20 | 90 |

The data show RIT scores of 3 (meaning the pupil academically grew by 3 RIT points). There was no RIT growth for SY 2018–19. There was, however, an increase in the score using the national percentile, from the thirty-ninth percentile to the ninetieth percentile (i.e., PTLAH pupils scored higher than 90 percent of pupils at their grade level across the country).

Winter NWEA Data ELA-Reading, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 0 | 7 | 2 | 2 |
| National Percentile | 1 | 99 | 30 | 80 |

The data show growth in SY 2017–18 with a RIT score of 7, growth of 2 RIT points in SY 2018–19, and growth of 2 RIT points in the following year.

The national percentile ranking shows a span of the first percentile to ninety-ninth percentile from SY 2016–17 to SY 2017–18. The ranking did decline in SY 2018–19 to the thirtieth percentile, and then increased again in SY 2019–20 to the eightieth percentile.

NWEA Reading Data for English Learners, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | \* | 10 | 6 | 3 |
| National Percentile | \* | 99 | 89 | 89 |

The data show an overall decrease in annual growth for English learners, with a RIT score of 10 in SY 2017–18, growth of 6 RIT points in SY 2018–19, and growth of 3 RIT points in SY 2019–20. This illustrates a decrease in the pace of student growth but shows consistency in the national ranking.

NWEA Reading Data for Socioeconomically Disadvantaged Pupils, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 0 | 6 | 2 | 4 |
| National Percentile | 1 | 95 | 36 | 89 |

The data show an increase in growth rate from 0 RIT points in SY 2016–17 to 6 RIT points SY 2017–18, and national ranking of 1 in 2016-17, to the ninety-fifth percentile in 2017-18. The national rank does drop the following year to thirty-sixth percentile but shows a 53-point increase in SY 2019–20.

NWEA Reading Data for Special Education Pupils, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | \* | 11 | \* | \* |
| National Percentile | \* | 99 | \* | \* |

The data show only one year of NWEA MAP data for PTLAH, an 11-point RIT growth score and a percentile score of 99. There was no data available for the other three school years due to the low number of pupils assessed.

Math Data

The following tables show the percentage of pupils that met or exceeded standards on the 2016–17 through 2019–20 NWEA MAP Growth for PTLAH by student group for math.

Winter to Winter NWEA Math 4-Year Comparison, Class of 2020 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2016–17 | 215.1 | 216.5 | 200.9 | 197.0 |
| 2017–18 | 219.5 | 220.7 | 202.5 | 204.7 |
| 2018–19 | 221.5 | 222.1 | 206.9 | 210.0 |
| 2019–20 | 219.6 | 220.0 | \* | 209.8 |

The data show an overall increase in scores for all pupils and all subgroups in math from SY 2016–17 to SY 2019–20. There was an increase in scores for pupils with disabilities from SY 2017–18 to SY 2018–19; however, there was no data available for SY 2019–20 due to the low number of pupils assessed.

Fall to Fall NWEA Math 3-Year Comparison, Class of 2021 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2017–18 | 217.7 | 217.4 | 214.9 | 204.3 |
| 2018–19 | 217.2 | 217.2 | 208.4 | 205.0 |
| 2019–20 | 220.4 | 222.9 | 207.9 | 212.4 |

The data show an overall increase in math scores for all pupils, socioeconomically disadvantaged pupils, and English learners from SY 2017–18 to SY 2019–20. Scores for pupils with disabilities decreased overall by seven points from SY 2017–18 through SY 2019–20.

Winter to Winter NWEA Math 2-Year Comparison, Class of 2022 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2018–19 | 212.0 | 212.6 | \* | 198.9 |
| 2019–20 | 214.7 | 215.2 | \* | 203.7 |

The data show an increase in math scores for all pupils and subgroups. No data was available for pupils with disabilities.

Fall NWEA Data Math, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 0 | 2 | 3 | -2 |
| National Percentile | 3 | 21 | 77 | 12 |

The data show RIT scores from no growth to a loss of 2 RIT points from SY 2016–17 through SY 2019–20. The national ranking grew from SY 2016–17 to SY 2017–18 by 18 points and by an additional 56 points in SY 2018–19. However, the data show a significant decrease in national percentile of 65 points from SY 2018–19 to SY 2019–20.

Winter NWEA Data Math, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 1 | 5 | 2 | 0 |
| National Percentile | 4 | 98 | 52 | 29 |

The data show RIT scores for all pupils from 1 RIT point in SY 2016–17 to 5 RIT points in SY 2017–18. The scores for SY 2018–19 showed 2 RIT growth points and no growth in SY 2019–20.

The national rank for all pupils in math increased from the fourth percentile in SY 2016–17 to the ninety-eight percentile in SY 2017–18. From SY 2018–19 to SY 2019–20 the national rank scores decreased to the fifty-second percentile and then to twenty-ninth percentile, respectively.

NWEA Math Data for English Learners, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | \* | 7 | 7 | 1 |
| National Percentile | \* | 99 | 99 | 12 |

For English learners, the data show growth of 7 RIT points for SY 2017–18, 7 RIT points for SY 2018–19, and 1 RIT point in SY 2019–20.

NWEA Math Data for Socioeconomically Disadvantaged Pupils, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 3 | 5 | 1 | 1 |
| National Percentile | 26 | 96 | 23 | 50 |

The data show socioeconomically disadvantaged pupil’s growth of 3 RIT points in SY 2016–17, 5 RIT points in SY 2017–18, 1 RIT point in SY 2018–19, and an additional 1 point in SY 2019–20.

NWEA Math Data for Special Education Pupils, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | \* | 5 | \* | \* |
| National Percentile | \* | 97 | \* | \* |

The data show growth of 5 RIT points and a national rank of 97 for special education pupils for SY 2017–18.

English Learner Progress Indicator

The ELPI measures the growth of English learners and is broken down by the number of levels (1–4) of student progression toward English proficiency: progressed at least one level; maintained standing in level 4 (not eligible for reclassification); maintained level 1, 2 low, 2 high, 3 low, or 3 high (made no growth); and declined by a level.

ELPAC Results (Percentages)

| ELPI Level | Prepa Tec |
| --- | --- |
| Progressed at Least One ELPI Level | 38.0 |
| Maintained ELPI Level 4 | 4.7 |
| Maintained ELPI Levels 1, 2L, 2H, 3L, 3H | 33.3 |
| Decreased at Least One ELPI Level | 23.8 |

The data show that 38 percent of English learner pupils made at least one level of growth; 4.7 percent maintained their standing in level 4; 33.3 percent maintained level 1, 2 low, 2 high, 3 low or 3 high; and 23.8 percent declined by at least one level.

At-Risk Long-Term English Learners

At-Risk-Long-Term English Learner is a measurement of how long a pupil has been an English learner:

* Zero to three years
* Four to five years; at risk of being a long-term English learner (LTEL)
* Six or more years; LTEL

Data for pupils who are at their fourth year as an English learner but are not at risk of becoming an LTEL, as well as reclassified fluent English proficient (RFEP) pupils, and pupils who have ever been an English learner are also included in the below table.

At-Risk Long-Term English Learners 2017–18 (Number of Pupils)

| Grade | EL0–3 Years | At-Risk4–5 Years | LTEL6+ Years | EL 4+ Years Not At-Risk or LTEL | ELTotal | RFEP |
| --- | --- | --- | --- | --- | --- | --- |
| Ninth | 7 | 1 | 9 | 11 | 28 | 58 |
| Tenth | 5 | 1 | 19 | 2 | 27 | 57 |

In SY 2017–18, there were 28 English learners at PTLAH in ninth grade: 7 were in their first three years as an English learner; 1 was at risk of becoming an LTEL; 9 were considered LTELs; and 11 were not at risk or LTEL. Fifty-eight pupils had been reclassified.

In SY 2017–18, there were 27 English learners at PTLAH in tenth grade: 5 were in their first three years as an English learner; 1 was at risk of becoming an LTEL; 19 were considered LTELs; and 2 were not at risk of becoming an LTEL. Fifty-seven pupils had been reclassified.

At-Risk Long-Term English Learners 2018–19 (Number of Pupils)

| Grade | EL0–3 Years | At-Risk4–5 Years | LTEL6+ Years | EL 4+ Years Not At-Risk or LTEL | ELTotal | RFEP |
| --- | --- | --- | --- | --- | --- | --- |
| Ninth | 6 | 1 | 14 | 0 | 21 | 39 |
| Tenth | 9 | 0 | 25 | 0 | 34 | 49 |
| Eleventh | 11 | 3 | 1 | 0 | 24 | 55 |

At-Risk Long-Term English Learners 2019–20 (Number of Pupils)

| Grade | EL0–3 Years | At-Risk4–5 Years | LTEL6+ Years | EL 4+ Years Not At-Risk or LTEL | ELTotal | RFEP |
| --- | --- | --- | --- | --- | --- | --- |
| Ninth | 2 | 1 | 13 | 7 | 23 | 44 |
| Tenth | 3 | 0 | 8 | 3 | 14 | 35 |
| Eleventh | 4 | 1 | 10 | 12 | 27 | 52 |
| Twelfth | 2 | 2 | 14 | 2 | 20 | 43 |

Overall the at-risk to become an LTEL is low. This shows that over SY 2018–19 through SY 2019–20, there was significant growth in the pupils who were classified as English learner and not at-risk of becoming an LTEL.

PTLAH Reclassification for 2017–18

| Enrollment | ELs | Fluent English-Proficient Pupils | RFEP Pupils |
| --- | --- | --- | --- |
| 224 | 55 (24.6%) | 128 (57.1%) | 3 (12.0%) |

The data above show that out of the 55 (24.6 percent) English learner pupils, three (12 percent) were reclassified in SY 2017–18.

The CDE concludes that the verified data, overall, shows growth for PTLAH pupils. These types of assessments are used to gauge student learning, drill down to individual pupil needs, and target interventions for success.

**Post-Secondary Outcomes**

*EC* Section 47607.2(b)(3)(B) defines postsecondary outcomes as follows: college enrollment, persistence, and completion rates equal to similar peers.

However, as PTLAH graduated its first class in 2020, the school has no post-secondary data available on the California School Dashboard.

LAUSD’s Consideration of Verified Data

LAUSD reviewed the following verifiable data that the petitioner included as criteria for charter renewal: California School Dashboard data for PTLAH for ELA, math, and suspension rates as well as NWEA MAP data.

### Ability to Successfully Implement the Intended Program

*EC* Section 47605(c)(2)

5 *CCR* Section 11967.5.1(c)

#### Evaluation Criteria

For purposes of *EC* Section 47605(c)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program":

1. If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), and the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners’ control
2. The petitioners are unfamiliar, in the SBE’s judgment, with the content of the petition or the requirements of law that would apply to the proposed charter school
3. The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified)
4. The petitioners personally lack the necessary background in the following areas critical to the charter school’s success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.

Additionally, *EC* Section 47607(e) provides the following:

Notwithstanding subdivision (c) and subdivisions (a) and (b) of Section 47607.2, the chartering authority may deny renewal of a charter school upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors, or is not serving all pupils who wish to attend, as documented pursuant to subdivision (d). The chartering authority may deny renewal of a charter school under this subdivision only after it has provided at least 30 days' notice to the charter school of the alleged violation and provided the charter school with a reasonable opportunity to cure the violation, including a corrective action plan proposed by the charter school. The chartering authority may deny renewal only by making either of the following findings:

(1) The corrective action proposed by the charter school has been unsuccessful.

(2) The violations are sufficiently severe and pervasive as to render a corrective action plan unviable.

**The petitioner is not able to successfully implement the intended program.**

**Fiscal Analysis**

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

* 370 grade nine through twelve in 2021–22
* 380 grade nine through twelve in 2022–23
* 380 grade nine through twelve in 2023–24
* 380 grade nine through twelve in 2024–25

The updated PTLAH budget did not include enrollment for FY 2025–26.

PTLAH has been considered to be in poor financial condition since its inception in fiscal year (FY) 2016–17. The CDE has sent four letters of fiscal concern to PTLAH (on September 19, 2017; July 5, 2018; June 14, 2019; and August 18, 2020) in regards to declining pupil enrollment, no reserves, and negative ending fund balances on preliminary budget reports and interim reports. The most recent letter of fiscal concern, which was sent on August 18, 2020, was in regards to a negative ending balance of $416,573 and zero percent in reserves in its FY 2021–21 preliminary budget report.

The FY 2020–21 second interim report includes a positive ending fund balance of $85,336 and 1.47 percent in reserves after Paycheck Protection Program (PPP) loan forgiveness of $407,784. The CDE notes that a reserve of 1.47 percent is below the required 5 percent that the school is to maintain pursuant to their Memorandum of Understanding (MOU) with the SBE. Without the PPP loan, PTLAH has a negative ending fund balance of $322,448 and a zero percent in reserves.

The CDE also notes that as of January 31, 2021, PTLAH’s net assets were negative $770,577. Although, PTLAH’s cash flow statement reflects a positive ending cash balance each month in FY 2020–21 through 2023–24, PTLAH relies heavily on short-term financing of $1,601,852 in January 2021 and interorganizational borrowing of $599,532 in July 2020 through November 2020 to cover cash shortage.

#### Letters of Fiscal Concern

It is noted that over the course of its oversight, the SBE has issued five letters to PTLAH outlining the following fiscal concerns:

* **September 19, 2017:** The CDE sent a letter regarding the school’s declining pupil enrollment, no reserves, negative ending fund balance, and increasing negative net assets in its FY 2016–17 second interim report.

PTLAH submitted a material revision that included a revised multi-year financial plan with changes to projected enrollment, reduced revenue and expenditure, positive ending fund balance, and a projected reserve of 7 percent. The material revision was approved by the SBE in September 2017.

The CDE determined PTLAH’s response to be sufficient at the time of submission.

* **July 5, 2018:** The CDE sent a letter regarding the school’s negative ending fund balance and no reserves in its FY 2017–18 second interim report.

PTLAH submitted an FCAP with a budget adjustment of $380,000 for FY 2017–18, due to consolidating high school operations on one campus and eliminating office and support staff positions. PTLAH also had a budget adjustment of $420,000 by reducing teaching staff from eight to six per each grade level.

The CDE determined PTLAH’s response to be sufficient at the time of submission.

* **June 14, 2019:** The CDE sent a letter regarding the school’s negative ending fund balance and no reserves in its FY 2018–19 second interim report.

PTLAH submitted an FCAP with an updated budget that reflected an operative surplus of $683,411 in FY 2018–19 but with a negative ending fund balance of $196,224. PTLAH was expecting a positive ending fund balance of $108,793 in FY 2019–20 based on an enrollment projection of 368 pupils with the addition of grade twelve.

The CDE determined PTLAH’s response to be sufficient at the time of submission.

* **August 18, 2020:** The CDE sent a letter regarding the school’s negative ending fund balance and no reserves in its FY 2020–21 preliminary budget report.

PTLAH submitted a Fiscal Corrective Action Plan (FCAP) with an updated budget that reflected an operating surplus of $100,238 in FY 2020–21 However, the FCAP still showed a negative ending fund balance of $385,480. If PTLAH includes a forgiven PPP loan of $400,000, PTLAH’s ending fund balance will be increased to $14,520 with reserves of 0.23 percent, which is below the required 5 percent it must maintain per its Memorandum of Understanding with the SBE. PTLAH is projecting an increase in enrollment in FY 2021–22 after the new middle school facility is completed.

The CDE determined PTLAH’s response to be sufficient at the time of submission.

Although PTLAH has responded to all letters of concern from the CDE, the CDE notes that PTLAH has remained in poor financial condition throughout the term of its current charter.

#### 30-Day Notice

Pursuant to *EC* Section 47607(e), on March 5, 2021, the CDE provided notice to PTLAH of its finding that PTLAH is demonstrably unlikely to successfully implement the program set forth in its petition due to the following substantial fiscal factors (Attachment 9):

* PTLAH reported a zero percent reserve for FY 2020–21. Per PTLAH’s MOU with the SBE, PTLAH is to maintain a reserve of 5 percent.
* PTLAH reported a negative ending fund balance of $274,012 in the FY 2020–21 first interim report. The CDE notes that a negative ending fund balance could jeopardize PTLAH’s financial sustainability since liabilities cannot be covered even if all of PTLAH’s assets were liquidated.
* As of October 31, 2020, PTLAH’s net assets are negative $952,241. The PTLAH debt ratio is 2.34, which means that PTLAH’s total liabilities are approximately two times the value of its total assets. Furthermore, PTLAH’s working capital ratio would drop to 0.18, which means PTLAH has no current assets to cover its current liabilities. The CDE provided PTLAH with an opportunity to cure as well as corrective actions with a deadline to submit by April 5, 2021.

The CDE provided PTLAH with an opportunity to cure as well as corrective actions with a deadline to submit by April 5, 2021. The CDE requested the following information be submitted:

* A Board-approved FCAP that addresses each of the noted observations with specific explanations, actions, and timeframes for improving PTLAH’s financial condition
* The PTLAH Board agenda with an action item for approval of the FCAP, submitted 72 hours in advance of the associated meeting
* The PTLAH Board-approved minutes, submitted within 30 days of the associated meeting

***PTLAH’s Response to 30-Day Notice***

On April 2, 2021, PTLAH provided a complete response to the CDE’s 30-day notice; all documentation requested by the CDE was provided. The FCAP provided by PTLAH contained three main plans to address the negative ending fund balances: 1) applying for Payroll Protection Program loan of $470,784; 2) applying for COVID-19 relief funding of $1.47 million; and 3) increasing student enrollment. Additionally, PTLAH noted that it expects to increase its reserve to 5 percent by FY 2021–22.

***CDE’s Analysis of PTLAH’s Response***

The CDE has reviewed all information submitted by PTLAH in response to the 30-day notice. The CDE acknowledges that PTLAH has tried improving its fiscal condition and that its updated multi-year financial plan reflects a projected positive ending balance of $165,361 for FY 2020–21 with a reserve of 2.9 percent; however, PTLAH’s reserve fails to meet the required 5 percent outlined in its MOU with the SBE. PTLAH has not maintained 5 percent in reserves since its inception in SY 2016–17.

In addition, PTLAH relies heavily on a short-term financing of $646,000 in FY 2020–21 to cover a cash shortage. Regarding repayment of the short-term financing, it appears that PTLAH may incur a high financing cost with factoring, adding an additional negative effect to their budget.

The CDE concludes that PTLAH did not provide a corrective action plan that will be successful in curing the violations noted in CDE’s March 5, 2021, letter. PTLAH does not appear to be fiscally viable for FY 2021–22 through 2023–24.

### Required Number of Signatures

*EC* Section 47605(c)(3)

5 *CCR* Section 11967.5.1(d)

#### Evaluation Criteria

For purposes of *EC* Section 47605(c)(3), a charter petition that “does not contain the number of signatures required by [law]” …, shall be a petition that did not contain the requisite number of signatures at the time of its submission …

**This requirement is not applicable.**

#### Comments

Signatures are not required for a charter renewal.

### Affirmation of Specified Conditions

*EC* sections 47605(c)(4) and (e)

5 *CCR* Section 11967.5.1(e)

#### Evaluation Criteria

For purposes of *EC* Section 47605(c)(4), a charter petition that "does not contain an affirmation of each of the conditions described in (*EC* Section 47605[e])" …, shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in *EC* Section 47605(e).

| Criteria | Criteria Met |
| --- | --- |
| 1. [A] charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the California *Penal Code*. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.
 | Yes |
| 1. A charter school shall admit all pupils who wish to attend the school.
2. If the number of pupils who wish to attend the charter school exceeds the charter school’s capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school’s teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis.
3. In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand.
 | Yes |
| 1. If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to *EC* Section 48200.
 | Yes |

**The petition does contain the required affirmations.**

#### Comments

The PTLAH petition does contain the required affirmations (Attachment 3, pp. 3–4 and 383–384).

### Exclusive Public School Employer

*EC* Section 47605(c)(6)

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

#### Evaluation Criteria

The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (EERA) (Chapter 10.7 [commencing with Section 3540] of Division 4 of Title 1 of the California *Government Code*), as required by *EC* Section 47605(c)(6), recognizes that the SBE is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the EERA.

**The petition does include the necessary declaration.**

#### Comments

The PTLAH petition does include the necessary declaration (Attachment 3, pp. 4 and 384).

### Interests of the Entire Community\*

*EC* Section 47605(c)(7)

\*This finding applies to appeals for the *establishment* of a charter school only.

For the purposes of *EC* Section 47605(c)(7), the charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the following factors:

1. The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.
2. Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

**This requirement is not applicable.**

#### Comments

This finding is not required as the PTLAH petition is a renewal appeal.

### Fiscal Impact\*

*EC* Section 47605(c)(8)

\*This finding applies to appeals for the *establishment* of a charter school only.

For the purposes of *EC* Section 47605(c)(8), the school district is not positioned to absorb the fiscal impact of the proposed charter school. A school district satisfies this paragraph if it has met one of the following criteria:

1. Has a qualified interim certification pursuant to *EC* Section 42131 and the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim certification pursuant to *EC* Section 42131;
2. Has a negative interim certification pursuant to *EC* Section 42131; or
3. Is under state receivership. Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.

**This requirement is not applicable.**

#### Comments

This finding is not required as the PTLAH petition is a renewal appeal.

## THE 15 CHARTER ELEMENTS

### A. Description of Educational Program

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

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

#### Evaluation Criteria

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

| Criteria | Criteria Met |
| --- | --- |
| 1. Indicates the proposed charter school’s target pupil population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.
 | Yes |
| 1. Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person” in the twenty-first century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.
 | Yes |
| 1. Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target pupil population.
 | Yes |
| 1. Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).
 | Yes |
| 1. Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school’s pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to *EC* Section 60605 and to achieve the objectives specified in the charter.
 | Yes |
| 1. Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.
 | Yes |
| 1. Indicates how the charter school will meet the needs of pupils with disabilities, English learners (EL), pupils achieving substantially above or below grade level expectations, and other special pupil populations.
 | No |
| 1. Specifies the charter school’s special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of *EC* Section 47641, the process to be used to identify pupils who qualify for special education programs and services, how the school will provide or access special education programs and services, the school’s understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.
 | Yes |

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

#### Comments

The PTLAH petition does not, overall, present a reasonably comprehensive description of the educational program. Specifically, the PTLAH petition does not provide a reasonably comprehensive description of its plan for English learners (Attachment 3, pp. 5–231 and Attachment 4).

##### Educational Program

PTLAH educates ninth-grade through twelfth-grade pupils who reside in the LAUSD and pupils who reside outside the LAUSD, as space allows.

The petition states that PTLAH intends to enroll 370 pupils for SY 2021–22, and 380 pupils each year thereafter, through SY 2024–25.

The PTLAH mission is to provide a world-class education to every pupil through an inquiry and investigation school model that will prepare pupils to meet the challenges of a global twenty-first century, which is based on creating and maintaining the following (Attachment 3, p. 27):

* A strong and sustained leadership team. A team of innovative, creative, diligent and dedicated teachers and staff with unrivaled wrap around services, which include mental health and health education services; multi-tiered level of support, response to intervention, and parent support and development; positive behavior, interventions and support; and expanded learning opportunities in order to support pupils at all levels of achievement
* Professional development opportunities for teachers, support staff, and administrators that have built and enhanced programs, including the commitment to rigorous external programs such as the International Baccalaureate Middle Years Program and International Baccalaureate Diploma Program
* Opportunities for pupils and staff to participate in community projects and extend learning beyond the charter school

##### Plan for Low-Achieving Pupils

The PTLAH petition does present a reasonably comprehensive description of the plan for low-achieving pupils (Attachment 3, pp. 226–227).

At PTLAH, the Assistant Principal and Counselor in collaboration with teachers screen the following data to identify at-risk pupils in accordance with the California and LAUSD guidelines:

* Classroom academic progress data
* Pupils scoring Level 1 or Level 2 on the previous year’s adopted standardized test in any one subtest score in reading and language arts or math
* Pupils who are at least one year below grade level in the areas of reading, language, and math as identified by interim assessments.
* Pupils recommended for academic intervention

The PTLAH petition lists the following strategies to improve at-risk performance (Attachment 3, pp. 226–227):

* Early detection,
* Family communication,
* Teacher collaboration,
* Focused instruction,
* Direct intervention,
* Ongoing assessment, and
* A commitment to each pupil.

##### Plan for High-Achieving Pupils

The PTLAH petition does present a reasonably comprehensive description of the plan for high-achieving pupils (Attachment 3, pp. 221–226).

The PTLAH petition states that differentiation strategies modify what pupils will know (content), how pupils will think (process), and how pupils will summarize and share their learning (products). One example is using different dimensions of depth and complexity in all lesson plans. Differentiation is also facilitated through flexible groupings and regrouping of pupils for different tasks. The groupings are based on need, interest, and ability (Attachment 3, p. 225).

The PTLAH petition also describes how pupils have the opportunity to experience the content by going on expeditions that allow them to see how scholars use the content they learn in class in a real-life context. In addition, teachers offer differentiated independent research projects as a strategy to challenge these pupils to increase their learning. Teachers use advanced learning opportunities that allow pupils to participate in out of grade-level activities using and selecting resources beyond grade level when appropriate (Attachment 3, p. 225).

The teachers also adjust the time needed to learn, noting that some pupils learn more quickly than others. PTLAH believes that the family connection is important to the success of the gifted pupil. Parents are encouraged to collaborate with school leaders, teachers, and children in order to present and develop the individualized plan that best meets their child’s needs.

PTLAH Identifies gifted pupils through an assessment process consisting of the following elements (Attachment 3, pp. 225–226):

* Intellectual ability
* High academic achievement/specific academic ability
* Visual arts ability
* Performing arts ability
* Creativity ability
* Leadership ability

##### Plan for English Learners

The PTLAH petition does not present a reasonably descriptive plan for English learner (EL) pupils. The petition states that PTLAH adheres to all applicable state and federal laws and regulations with respect to serving pupils who are ELs, including long-term ELs or ELs at risk of becoming long-term ELs (Attachment 3, pp. 217–221).

Instructional plans are in place for ELs that follow the EL Master Plan document. Pupils are adequately supported with integrated English language development (ELD) or designated ELD by trained teachers and provided appropriate materials and resources. The petition explains that PTLAH is required to send annual notifications to parents regarding pupil identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements (Attachment 3, pp. 217–221).

Structurally, PTLAH runs a full-inclusion program for EL pupils and offers a protected ELD period. Pupils who are EL and need sheltered classes are in a classroom instructed by teachers who are cross-cultural, language, and academic development certified (Attachment 3, p. 218).

PTLAH leadership previously integrated ELD instruction throughout the school day in every subject area by every teacher who had an EL pupil in the classroom. Beginning in the 2019–20 school year, PTLAH determined to implement both designated and integrated ELD as prescribed in the California ELD standards (Attachment 3, p. 60).

Regarding the English Language Development (ELD) curriculum, the PTLAH petition states that the school uses the READ 180 program for ELD instruction. READ 180 is an intervention curriculum and is not aligned to the California ELD state standards pursuant to *EC* Section 47605(c)(5)(G). Not providing a curriculum aligned to state standards is problematic as the CDE cannot be assured that students are receiving standards-aligned instruction.

PTLAH is obligated to comply with the standards aligned curriculum requirements for ELD pursuant to *EC* Section 47605(c)(5)(G).

##### Plan for Special Education

The PTLAH petition does present a reasonably comprehensive description for pupils with disabilities.

The CDE notes that the PTLAH petition states that the school recognizes its responsibility to enroll and support pupils with disabilities who can benefit from its programs and who otherwise qualify for enrollment. PTLAH works in cooperation with its special education local plan area (SELPA) to ensure that a free and appropriate education is provided to all pupils with exceptional needs. PTLAH complies with all applicable state and federal laws in serving pupils with disabilities, including, but not limited to the following: The Individuals with Disabilities Education Improvement Act of 2004, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and any other civil rights enforced by the U.S. Department of Education Office for Civil Rights. Furthermore, PTLAH complies with AB 602, SELPA guidelines, and all California laws pertaining to special education pupils.

The petition states that PTLAH is a member of the LAUSD SELPA.

The PTLAH petition identifies a plan for pupils with disabilities, including identification; referral for assessment; development and implementation of the Individualized Education Program; interim and initial placements; and special education strategies for instruction and services, staffing, and reporting (Attachment 3, pp. 107–108).

##### International Baccalaureate Programme

The petition states that PTLAH is an authorized public International Baccalaureate (IB) Diploma Programme school in the LAUSD.

An important part of the IB programme is the concerted effort placed in developing the IB learner profile attributes as personal values to adopt and live out with action. In addition, the Approaches to Learning Skills are deliberate strategies, skills and attitudes that permeate the teaching and learning environment.

The petition further states that the 2019–20 school year was the first year that PTLAH offered the four years of high school, as they have been growing one grade level per year. Also, the 2019–20 school year was the first year eleventh graders participated in the two-year IB Diploma Programme. At the end of the 2020–21 school year, they will have their first pupils eligible to receive the IB Diploma (Attachment 3, p. 28).

PTLAH, as the lead school for the IB Primary Years Programme partnership with Prepa Tec Los Angeles Middle School, is in the candidacy state for authorization. PTLAH ninth and tenth grade pupils are part of the Middle Years Programme, which is a five-year preparatory program for the Diploma Programme (Attachment 3, pp. 9, 28–29, and 242–246).

Also, as part of the authorization from the IB Organization, each IB World School is regularly evaluated to ensure that the standards and practices of its IB programme(s) are being maintained. Evaluation takes place at least once every five years. As part of the process, PTLAH engages in a self-study that is a key element in the school’s continual improvement (Attachment 3, p. 211).

### B. Measurable Pupil Outcomes

*EC* Section 47605(c)(5)(B)

5 *CCR*, Section 11967.5.1(f)(2)

#### Evaluation Criteria

Measurable pupil outcomes, as required by *EC* Section 47605(c)(5)(B), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Specify skills, knowledge, and attitudes that reflect the school’s educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual pupils and for groups of pupils.
 | Yes |

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

#### Comments

The PTLAH petition does present a reasonably comprehensive description of measurable pupil outcomes (MPOs). The PTLAH petition includes an outline of the goals, actions, and outcomes aligned to the eight state priorities for all pupils and pupil subgroups (Attachment 3, pp. 127–141).

### C. Method for Measuring Pupil Progress

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

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

#### Evaluation Criteria

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

| Criteria | Criteria Met |
| --- | --- |
| 1. Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.
 | Yes |
| 1. Includes the annual assessment results from the California Assessment of Pupil Performance and Progress.
 | Yes |
| 1. Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils’ parents and guardians, and for utilizing the data continuously to monitor and improve the charter school’s educational program.
 | Yes |

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

#### Comments

The PTLAH petition does present a reasonably comprehensive description of the method for measuring pupil progress. The PTLAH petition includes a table that provides an overview of the assessment tools, frequency, and MPOs (Attachment 3, pp. 233–241).

### D. Governance Structure

*EC* sections 47604.1 and 47605(c)(5)(D)

5 *CCR*, Section 11967.5.1(f)(4)

#### Evaluation Criteria

The governance structure of the charter school, including, but not limited to, the requirements of *EC* Section 47604.1 as well as the process … to ensure parental involvement …, as required by *EC* Section 47605(c)(5)(D), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Includes evidence of the charter school’s incorporation as a nonprofit public benefit corporation, if applicable, pursuant to *EC* Section 47605(c)(5)(D).
 | Yes |
| 1. Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure the following, pursuant to *EC* Section 47605(c)(5)(D):
	1. The charter school will become and remain a viable enterprise.
	2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians).
	3. The educational program will be successful.
 | Yes |
| Includes all requirements of *EC* Section 47604.1 | No |

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

#### Comments

The PTLAH petition does not, overall, present a reasonably comprehensive description of the school’s governance structure. Specifically, the PTLAH petition does not meet the requirements of *Government Code* (*GC*) Section 1090 and the Political Reform Act of 1974 (PRA) (Attachment 3, pp. 262–273 and 389–393).

PTLAH is a directly funded independent charter school and is operated as a California nonprofit public benefit corporation, pursuant to California law. PTLAH receives tax-exempt status under *Internal Revenue Code* (*IRC*) Section 501(c)(3).

PTLAH, Academia Moderna, and PREPA TEC – Los Angeles are tax-exempt corporations pursuant to *IRC* Section 501(c)(3), and are overseen by the non-profit organization Alta Public Schools (APS). APS is organized under the Non-profit Public Benefit Corporation Laws of California with the purpose of exclusively establishing and operating charter schools pursuant to applicable federal, state, and municipal laws and regulations relating to public agencies and charter schools. The APS Board of Directors consists of six community members and serves as the governing body for the three aforementioned schools.

The APS Foundation was formed under *IRC* Section 501(c)(3) and from state corporate tax under *Revenue and Taxation Code* Section 23701(d) for the sole purpose of fund development for APS. The Board of Directors for APS also serve as the Board of Directors for the APS Foundation.

The PTLAH petition is not specific regarding *GC* Section 1090 nor the PRA. Additionally, the Conflict of Interest Code submitted with the PTLAH petition does not meet the requirements for a charter school pursuant to *EC* Section 47604.1 (Attachment 6). The Conflict of Interest Code submitted to the CDE has also not been properly reviewed and approved by the appropriate code reviewing body.

*EC* Section 47604.1 requires that a charter school comply with both the *GC* Section 1090 and the PRA, which necessitates that PTLAH adopt a conflict of interest code that meets the requirements of the PRA.

### E. Employee Qualifications

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

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

#### Evaluation Criteria

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

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

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

#### Comments

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

The CDE notes that the job descriptions for all positions are provided in the supporting documents submitted by the petitioner. Minimum position qualifications are included in the PTLAH petition (Attachment 3, pp. 274–310).

### F. Health and Safety Procedures

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

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

#### Evaluation Criteria

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

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

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

#### Comments

The PTLAH petition does present a reasonably comprehensive description of health and safety procedures (Attachment 3, pp. 311–316).

### G. Racial and Ethnic Balance

*EC* Section 47605(c)(5)(G)

5 *CCR*, Section 11967.5.1(f)(7)

#### Evaluation Criteria

Recognizing the limitations on admissions to charter schools imposed by *EC* Section 47605(e), the means by which the school(s) will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district …, as required by *EC* Section 47605(c)(5)(G), shall be presumed to have been met, absent specific information to the contrary.

**The petition does present a reasonably comprehensive description of means for achieving racial and ethnic balance.**

#### Comments

The PTLAH petition does present a reasonably comprehensive description of means for achieving racial and ethnic balance. The following tables show 2017–18, 2018–19, and 2019–20 demographic data for PTLAH and LAUSD. The data show that the racial and ethnic balance served by PTLAH is somewhat reflective of LAUSD.

PTLAH serves fewer white and African American pupils than LAUSD; however, PTLAH served more pupils with disabilities, Hispanic/Latino pupil, and English learner pupils than LAUSD in SY 2019–20. PTLAH’s socio-economically disadvantaged pupil population is lower than LAUSD for the SY 2019–20 at 69 percent but had been much higher for the prior years.

**2017–18 Demographic Data for PTLAH and LAUSD (Percent of Pupils Enrolled)**

| School | English Learners | Special Education | Socio-economically Disadvantaged | African American | Hispanic/ Latino | White |
| --- | --- | --- | --- | --- | --- | --- |
| **PTLAH** | 21.2 | 6.7 | 92.4 | 0.5 | 99.3 | 0.0 |
| **LAUSD** | 23.0 | 12.5 | 82.3 | 8.4 | 74.1 | 10.1 |

**2018–19 Demographic Data for PTLAH and LAUSD (Percent of Pupils Enrolled)**

| School | English Learners | Special Education | Socio-economically Disadvantaged | African American | Hispanic/ Latino | White |
| --- | --- | --- | --- | --- | --- | --- |
| **PTLAH** | 29.7 | 8.6 | 98.8 | 0.3 | 99.7 | 0.0 |
| **LAUSD** | 20.3 | 13.0 | 80.8 | 8.4 | 74.1 | 10.7 |

**2019–20 Demographic Data for PTLAH and LAUSD (Percent of Pupils Enrolled)**

| School | English Learners | Special Education | Socio-economically Disadvantaged | African American | Hispanic/ Latino | White |
| --- | --- | --- | --- | --- | --- | --- |
| **PTLAH** | 33.2 | 71 | 69.0 | 0.6 | 97.7 | 0.9 |
| **LAUSD** | 20.0 | 11.4 | 81.5 | 7.7 | 74.1 | 10.3 |

The PTLAH petition explains that the charter school is currently under a court-ordered integration plan, defined by the evaluation rubrics in *EC* Section 52064.5 to create pupil enrollment that is more reflective of the general population residing within the LAUSD (Attachment 3, pp. 317–321).

*EC* Section 47605(c)(5)(G) states the following:

The means by which the school achieves a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

##### Court-Ordered Integration Plan

The PTLAH petition states that it shall comply with all requirements of the Crawford v. Board of Education, City of Los Angeles court order and the LAUSD Integration Policy adopted and maintained pursuant to the Crawford court order by the District’s Pupil Integration Services. The Court-ordered Integration Program applies to all schools within or chartered through LAUSD.

The petition further states that PTLAH shall monitor the implementation and outcomes of the initial plan, and modify it as necessary throughout the term of the Charter to achieve the District’s goal.

##### PTLAH’s Integration Plan

PTLAH has set forth its initial plan for achieving and maintaining the LAUSD’s Racial and Ethnic Balance goal of a 70:30 or 60:40 ratio. This ratio represents the percentage of Predominantly Hispanic Black Asian Other (PHBAO) pupils compared to Other White (OW) pupils.

The PTLAH petition explains its efforts to recruit pupils from various racial and ethnic groups in order to achieve a balance reflective of the general population residing within the territorial jurisdiction of LAUSD. The PTLAH petition explains the school’s utilization of a variety of free and volunteer strategies to communicate with local and hard-to-reach families, organizations, and community leaders to reach the racial and ethnic balance reflective of the LAUSD. Specifically, the PTLAH petition states the use of flyers, electronic media, earned media, community meetings, and individual/family meetings (Attachment 3, pp. 318–321).

In SY 2019–20 PTLAH met the PHBAO:OW ratio with an enrollment of 98.3 percent Hispanic, African American, and Asian pupils compared to 0.9 percent enrollment of OW pupils.

### H. Admission Requirements, If Applicable

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

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

#### Evaluation Criteria

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

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

#### Comments

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

The PTLAH petition explains that the charter school is currently under a court-ordered integration plan, defined by the evaluation rubrics in *EC* Section 52064.5, which describes the means by which the school achieves a balance of pupils that is reflective of the general population residing within the LAUSD (Attachment 3, p. 318).

The PTLAH petition states, in accordance with *EC* Section 47605(e)(2)(B), that preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school’s teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following (Attachment 3, pp. 324–328):

1. Pupils currently attending APS due to their familiarity with the IB program
2. Pupils who reside within the boundaries of the LAUSD
3. Siblings of pupils currently attending an APS school

PTLAH agrees to adhere to the requirements related to admission preferences as set forth in *EC* Section 47605(e)(2)(B)(i)–(iv).

The SBE has the discretion to approve the proposed preferences in the PTLAH petition at a public meeting.

### I. Annual Independent Financial Audits

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

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

#### Evaluation Criteria

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

| Criteria | Criteria Met |
| --- | --- |
| 1. Specify who is responsible for contracting and overseeing the independent audit.
 | Yes |
| 1. Specify that the auditor will have experience in education finance.
 | Yes |
| 1. Outline the process of providing audit reports to the SBE, CDE, or other agency as the SBE may direct, and specifying the timeline in which audit exceptions will typically be addressed.
 | Yes |
| 1. Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions.
 | Yes |

**The petition does present a reasonably comprehensive description of annual independent financial audits.**

#### Comments

The PTLAH petition does present a reasonably comprehensive description of annual independent financial audits (Attachment 3, pp. 329–331).

### J. Suspension and Expulsion Procedures

*EC* Section 47605(c)(5)(J)

5 *CCR*, Section 11967.5.1(f)(10)

#### Evaluation Criteria

The procedures by which pupils can be suspended or expelled, as required by *EC* Section 47605(c)(5)(J), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which pupils in the charter school must (where nondiscretionary) and may (where discretionary) be suspended and, separately, the offenses for which pupils in the charter school must (where nondiscretionary) or may (where discretionary) be expelled, providing evidence that the petitioners reviewed the offenses for which pupils must or may be suspended or expelled in noncharter public schools.
 | Yes |
| 1. Identify the procedures by which pupils can be suspended or expelled.
 | Yes |
| 1. Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.
 | Yes |
| 1. Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to pupils attending noncharter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for pupils, staff, and visitors to the school and serve the best interests of the school’s pupils and their parents (guardians).
 | Yes |
| 1. If not otherwise covered under subparagraphs (A), (B), (C), and (D):
2. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion.
3. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which pupils are subject to suspension or expulsion.
 | Yes |

**The petition does, overall, present a reasonably comprehensive description of suspension and expulsion procedures.**

#### Comments

The PTLAH petition does, overall, present an overall reasonably comprehensive description of suspension and expulsion procedures for criteria (E). However, the CDE notes that when addressing evaluation criteria (E), the PTLAH petition states the following with regard to due process appeals (Attachment 3, pp. 333 and 348–349):

A parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or Charter School if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings. When an appeal relating to the placement of the pupil or the manifestation determination has been requested by either the parent or Charter School, the pupil shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five-day (45) time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and Charter School agree otherwise.

The PTLAH petition language can be strengthened by incorporating the following requirement pursuant to *EC* Section 47605(c)(5)(J):

When an appeal relating to the placement of a pupil or the manifestation determination has been requested by either the parent or RVC, the pupil shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided in 20 USC Section 1415(k)(1)(C), whichever occurs first, unless the parent and PTLAH agree otherwise.

The PTLAH petition does meet the requirements of *EC* Section 47605(c)(5)(J) by listing the procedural requirements for suspension and expulsion (Attachment 3, pp. 347–356).

Addressing evaluation criteria (A), (B), (C), and (D), the PTLAH petition states (Attachment 3, p. 346):

The PTLAH Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and wellbeing of all pupils. When the Policy is violated, it may be necessary to suspend or expel a pupil from regular classroom instruction. This policy shall serve as PTLAH policy and procedures for pupil suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments are within the legal requirements.

Additionally, the PTLAH petition states the following (Attachment 3, pp. 333 and 402–403):

No pupil shall be involuntarily removed by PTLAH for any reason unless the parent or guardian of the pupil has been provided written notice of the intent to remove the pupil no less than five school days before the effective date of the action.

The PTLAH petition explains that the charter school has a systemic approach to teaching and managing behavior in schools, with the goal of creating and maintaining positive school environments. PTLAH’s positive behavior plan is used to address the needs of pupils using a Multiple-Tier process (Attachment 3, pp. 337–338).

The PTLAH petition states that the APS Board has the authority to expel a pupil upon the recommendation of an Administrative Panel. The Administrative Panel is to be assigned by the APS Board as needed.

### K. Teachers’ and Public Employees’ Retirement System, and Social Security Coverage

**California State Teachers’ Retirement System, California Public Employees’ Retirement System, and Social Security Coverage**

*EC* Section 47605(c)(5)(K)

5 *CCR*, Section 11967.5.1(f)(11)

#### Evaluation Criteria

The manner by which staff members of the charter schools will be covered by California State Teachers’ Retirement System (CalSTRS), California Public Employees’ Retirement System (CalPERS), or federal social security, as required by *EC* Section 47605(c)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.

**The petition does present a reasonably comprehensive description of CalSTRS, and social security coverage.**

#### Comments

The PTLAH petition does present a reasonably comprehensive description of retirement coverage (Attachment 3, pp. 357–358).

### L. Public School Attendance Alternatives

*EC* Section 47605(c)(5)(L)

5 *CCR*,Section 11967.5.1(f)(12)

#### Evaluation Criteria

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by *EC* Section 47605(c)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.

**The petition does present a reasonably comprehensive description of public school attendance alternatives.**

#### Comments

The PTLAH petition does present a reasonably comprehensive description of public school attendance alternatives (Attachment 3, p. 359).

### M. Post-Employment Rights of Employees

*EC* Section 47605(c)(5)(M)

5 *CCR*, Section 11967.5.1(f)(13)

#### Evaluation Criteria

The description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by *EC* Section 47605(c)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:

| Criteria | Criteria Met |
| --- | --- |
| 1. Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.
 | Yes |
| 1. Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.
 | Yes |
| 1. Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.
 | Yes |

**The petition does present a reasonably comprehensive description of post-employment rights of employees.**

#### Comments

The PTLAH petition does present a reasonably comprehensive description of post-employment rights of employees (Attachment 3, pp. 360 and 406).

### N. Dispute Resolution Procedures

*EC* Section 47605(c)(5)(N)

5 *CCR*, Section 11967.5.1(f)(14)

#### Evaluation Criteria

The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by *EC* Section 47605(c)(5)(N), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not an LEA.
 | No |
| 1. Describe how the costs of the dispute resolution process, if needed, would be funded.
 | No |
| 1. Recognize that, because it is not an LEA, the SBE may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the SBE intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.
 | No |
| 1. Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with *EC* Section 47604.5, the matter will be addressed at the SBE’s discretion in accordance with that provision of law and any regulations pertaining thereto.
 | No |

**The petition does, overall, present a reasonably comprehensive description of dispute resolution procedures.**

#### Comments

Although the PTLAH petition does not meet the aforementioned criteria, it does, overall, present a reasonably comprehensive description of dispute resolution procedures.

The correct language is encompassed in the dispute resolution procedures in the PTLAH petition; however, the policy is not written to reflect the SBE as the authorizer. The CDE notes that per the request of the district, the petitioner changed the language in this element after submitting the petition to LAUSD in order to reflect LAUSD as the authorizer.

While these changes made the petition confusing and challenging for the CDE to review, the CDE is confident that the petitioner understands the requirements of this charter element. However, the petitioner did not make the following clear in the version of the petition submitted to the SBE on appeal (Attachment 3, pp. 361–365 and 406–410):

* List dispute resolution provisions specific to disputes with the SBE
* Cost of dispute resolution process with SBE
* Acknowledge that SBE is not an LEA
* The SBE’s discretion regarding any matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with *EC* Section 47604.5

Pursuant to *EC* Section 47605(c)(5)(N), the petition is required to state the process to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter.

### O. Closure Procedures

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

#### Evaluation Criteria

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

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

#### Comments

The PTLAH petition does include a reasonably comprehensive description of closure procedures (Attachment 3, pp. 366–373 and 410–417).

## ADDITIONAL REQUIREMENTS UNDER CALIFORNIA *EDUCATION CODE* SECTION 47605

### Standards, Assessments, and Parent Consultation

*EC* sections 47605(d)(1) and (2)

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

#### Evaluation Criteria

Evidence is provided that:

| Criteria | Criteria Met |
| --- | --- |
| 1. The school shall meet all statewide standards and conduct the pupil assessments required pursuant to *EC* sections 60605, 60851, and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.
 | Yes |
| 1. The school shall, on a regular basis, consult with their parents and teachers regarding the school’s educational programs.
 | Yes |

**The petition does provide evidence addressing the requirements regarding standards, assessments, and parent consultation.**

#### Comments

The PTLAH petition does provide evidence addressing the requirements regarding standards, assessments, and parent consultation (Attachment 3, p. 3).

### Effect on Authorizer and Financial Projections

*EC* Section 47605(h)

5 *CCR*, sections 11967.5.1(c)(3) (A–C)

#### Evaluation Criteria

…[T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:

| Criteria | Criteria Met |
| --- | --- |
| 1. The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate.
 | Yes |
| 1. The manner in which administrative services of the school are to be provided.
 | No  |
| 1. Potential civil liability effects, if any, upon the school and the SBE.
 | Yes |
| 1. The petitioners have provided financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.
 | Yes |

**The petition does provide the required information and financial projections.**

#### Comments

The PTLAH petition does, overall, provide the required information and financial projections; however, the language can be strengthened to specifically state the manner in which administrative services of the school are to be provided (Attachment 3, p. 373 and Attachment 4).

### Teacher Credentialing

*EC* Section 47605(l)

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

#### Evaluation Criteria

For purposes of *EC* Section 47605(I), teachers in charter schools shall hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher’s certificated assignment. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority.

By July 1, 2020, all teachers in charter schools shall obtain a certificate of clearance and satisfy the requirements for professional fitness pursuant to *EC* sections 44339, 44340, and 44341.

**The petition does meet this requirement.**

#### Comments

The PTLAH petition does meet this requirement (Attachment 3, pp. 212, 304–305, and 393).

### Transmission of Audit Report

*EC* Section 47605(m)

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

#### Evaluation Criteria

A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year … to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited …, and the CDE by December 15 of each year.

**The petition does address this requirement.**

#### Comments

The PTLAH petition does address this requirement (Attachment 3, pp. 330–331).

### Goals to Address the Eight State Priorities

*EC* Section 47605(c)(5)(A)(ii)

#### Evaluation Criteria

A charter school shall provide a description of annual goals for all pupils and for each subgroup of pupils identified pursuant to *EC* Section 52052, to be achieved in the state priorities, as described in subdivision (d) of *EC* Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

**The petition does address this requirement.**

#### Comments

The PTLAH petition does present a reasonably comprehensive description of the annual goals for all pupils and for each identified subgroup of pupils.

The PTLAH petition includes a list of the goals, actions, measurements, and outcomes aligned to the eight state priorities for all pupils and pupil subgroups (Attachment 3, pp. 126–141).

### Transferability of Secondary Courses

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

#### Evaluation Criteria

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

**The petition addresses this requirement.**

#### Comments

The PTLAH petition states that at the time that a parent submits an application to enroll their pupil in PTLAH, the charter school will provide written information to parents of pupils in grades nine through twelve regarding the transferability of courses to other public high schools and the eligibility of the courses to meet college entrance admissions requirements (Attachment 3, pp. 204–205).