

ACCS Meeting Notes for February 3, 2009

Advisory Commission on Charter Schools ***An Advisory Body to the State Board of Education***

California Department of Education
1430 N Street, Room 1101
Sacramento, CA

Tuesday, February 3, 2009

MEMBERS PRESENT

Beth Hunkapiller, Chair
Dr. Vicki Barber
Carol Barkley*
Brian Bauer
Paul Cartas
Tom Conry
Gary Davis
Mark Kushner
Corri Ravare

MEMBERS ABSENT

None

*Carol Barkley is the State Superintendent of Public Instruction's designee.

PRINCIPAL STAFF TO THE ADVISORY COMMISSION

Deborah Domitrovich, Consultant, CDE Charter Schools Division
Darrell Parsons, Consultant, CDE Charter Schools Division
Deborah Probst, Consultant, CDE Charter Schools Division
Michelle Ruskofsky, Consultant, CDE Charter Schools Division

Call to Order

Chair Hunkapiller called the meeting to order at 9:45 a.m.

Flag Salute

Chair Hunkapiller invited Mr. Cartas to lead the members, staff, and audience in the Pledge of Allegiance.

Introductions

Chair Hunkapiller invited the members to introduce themselves.

Agenda Order

Chair Hunkapiller indicated that this is Mr. Conry's last meeting and that they would reserve time later in the afternoon to recognize him. Chair Hunkapiller indicated that the agenda might be reorganized to hear Item 4 directly after Item 1. Otherwise, she indicated that she intended to follow the agenda as printed.

Approval of Meeting Notes

Chair Hunkapiller asked if there was a motion to approve the notes from the last ACCS meeting held on December 1, 2008.

ACTION: Mr. Bauer moved that the notes of the meeting held on December 1, 2008, be approved as presented. Dr. Barber seconded the motion, and it was approved by a vote of 7-0, with Mr. Conry abstaining since he was not present at the December meeting. Mr. Kushner was not present at the time the vote was taken.

Public Comment

Chair Hunkapiller announced that she would defer public comments on matters not on the agenda to 1:00 pm.

Chair Hunkapiller also announced that representatives of charter schools on appeal and opponents of the proposed charters would each have a total of 15 minutes to make a presentation. Other members of the public would have two minutes each to state their positions on the appeals.

ITEM 1: Appeal of Petition Denied at the Local level: Western Sierra Collegiate Academy

Mr. Parsons presented the CDE staff report on the appeal. He stated that the petition had been denied by Rocklin USD and the Placer County Office of Education governing boards. Mr. Parsons indicated that CDE recommended approval of the petition because it proposes a sound education program and the petitioners have a solid track record in the operation of their first school, Rocklin Academy. He noted that the petition proposes a rigorous college preparatory academy for students in grades 7-12, and will use the Core Knowledge instructional program that has been used successfully by the petitioners at the K-6 Rocklin Academy as well as elements of the Pacific Collegiate School in Santa Cruz. Western Sierra Collegiate Academy would like to initially locate on one of the two high school campuses within the district. Mr. Parsons further noted that Rocklin Academy has had statewide and similar school API ranks of 10 and an API consistently over 930 for the last several years. The school plans to serve a diverse student population similar to Rocklin Academy, which historically has been at least as diverse as the district. CDE staff also recommended that the charter, if approved, be subject to the traditional conditions required of charter schools approved by the SBE.

Chair Hunkapiller asked if any members had questions of Mr. Parsons. Mr. Davis asked if the petitioners were amenable to the proposed conditions. Petitioners provided verbal acceptance of the conditions. Dr. Barber asked if CDE staff had reviewed the conditions recommended by the Placer County Office of Education staff. Mr. Parsons indicated they were consistent with the ones CDE was recommending.

Chair Hunkapiller and Dr. Barber had questions regarding where the school was going to locate and the requirements to take facilities into consideration when reviewing a charter petition. Petitioners have been unable to work out an arrangement with the district for facilities at this time and the petitioners are exploring other options. The lack of facilities is not a reason in statute or regulation to approve or deny a charter. Dr. Barber asked whether CDE had any comments regarding the housing of middle grades students with high school students, which is what the petitioners are proposing. Mr. Parsons stated that staff followed what is required by statute and regulations in the review of charter petitions on appeal. They are silent with regard to that question.

Dr. Barber asked about the assumptions that were made in the budget in light of the current budget situation. CDE staff found they were slightly overstated, having been prepared over a year ago, but that Rocklin Academy had ample reserves that could be used for the new school.

Wendy Boyd, Chair of Rocklin Academy and one of the founders of Western Sierra Collegiate Academy represented the petitioners and introduced Dave Patterson, the Executive Director of the Academy, Paul Minney, the school's legal counsel, and others in the audience including planning commission members and parents who were supportive of the petition.

Dr. Patterson presented highlights of the charter proposal, including a challenging curriculum in a small school setting, partnerships with parents to help students think critically, communicate, and contribute to a global community. The school further intends to provide counseling support, and extracurricular activities that are student and parent driven. There is a commitment to create a professional learning community. He stated that the petitioners have sound financial management experience, they understand education funding and financial systems, and they have reserves that can be applied to the new school. In summary, Dr. Patterson emphasized the petitioners' commitment to serve all students and to maintain an ethnically diverse population.

Chair Hunkapiller asked those who wished to express opposition to the charter to come forward at this time.

Kevin Brown, Superintendent of Rocklin USD provided some data about the district academic accomplishments, awards and programs. The district offers extensive Advanced Placement courses, 97% of students graduate from high school, and 38 % are admitted to 4-year colleges and universities. The district currently has three charter schools.

Mr. Brown stated that the charter petition does not meet criteria for approval. It was denied twice at the district level and once at the county office level. The Placer County governing board agreed with the district that the petition failed to meet all the requirements. He indicated that the petition has been under discussion for three years and they still have not been able to figure out how to coexist with the existing high school campus. Mr. Brown indicated that the district already has a Core Knowledge K-8 school. He noted that CDE's own budget review identified cash flow problems. He stated his belief that the school is exclusionary, and that it isn't prepared to serve students. He has not seen any detailed plans for implementation. He questions how the school will increase learning opportunities for students and how it is different from what the district already offers. Mr. Brown reiterated that the district is not anti-charter, but that this school will not offer a unique, high quality program.

Debra Hawkins, Principal of Whitney High School stated that she believed this is an exclusionary charter school and did not represent a good role model for reaching out to all students. There was nothing creative or innovative about the proposal. The charter presents a vague plan for recruiting underrepresented students. The charter contains no plan to close the achievement gap. Rocklin USD has interventions for students who are underperforming. Ms. Hawkins stated her belief that the charter petitioners won't be able to deliver a high quality program, and that the school is for a select group of students.

Betty DiRegolo, Director of Rocklin USD's Special Education/Special Services Department, stated that EL students are underrepresented in Rocklin Academy. She asserted that parents must retain their own aides for students. The district's other charter schools do serve all students. She stated that it appeared the petitioners have a "cut and paste" plan for serving EL and students with disabilities.

Dr. Patterson refuted some statements by district representatives. He stated that the petition has a high level of support from parents. He questioned some of the statistics provided by the district in terms of numbers of EL students served and indicated that they have requested more opportunities from the district to recruit a diverse student body. Dr. Patterson reiterated that petitioners

are committed to creating a high quality institution that will offer parents a choice.

Chair Hunkapiller asked if there were other public comments on the charter petition.

Colin Miller representing the California Charter Schools Association stated that CCSA strongly supports petition and that petitioners have a strong track record of success. Mr. Miller also noted that school districts are required by statute to encourage rather than discourage charter schools.

Eric Premack representing the Charter Schools Development Center stated that Rocklin Academy is a model school with an exemplary program and that CSDS supports the charter petition.

Todd Lowell, President of the Rocklin USD governing board stated that the school petitioners were partnering with Pacific Collegiate Charter Public School in Santa Cruz, which is an exclusionary school. He indicated that the percentage of EL, students with disabilities and low income students being served was very low.

Chair Hunkapiller invited discussion among the ACCS members. Mr. Davis wanted to know what grade levels the three existing charter schools serve. Mr. Brown indicated the district had one K-6 and two K-8 charter schools. Ms. Barber asked how the proposed school would duplicate options if there is no charter high school and what evidence the district had that supported statements that parents currently have choice within the district. Mr. Brown clarified that the district has a K-8 Core Knowledge program, but not a high school Core Knowledge program, and that the only difference between district programs and the charter was that petitioners want to put 500 students in the middle of a high school and call it a small high school. Mr. Bauer asked if there was a small school option for students in the district. Mr. Brown stated that there was not at the high school level.

Dr. Barber asked if CDE staff had copies of the independent financial analyses that were done for the district and county office. Mr. Parsons indicated that he did not have the actual analyses done by School Services and School Innovations and Advocacy. CDE staff did have the findings of fact and board minutes for both the district and county governing board meetings when the petition was considered.

Mr. Conry stated his consideration would be based on the quality of the educational program and the fiscal viability of the school. Whether the charter was necessary was not relevant to the decision making process. He asked how using reserves from the K-6 charter would impact that program. Mr. Parsons indicated that there would be some cash flow uncertainty for up to two years, but excess cash flow in other months would mitigate that problem. It is also likely, based on their track record, that petitioners will receive a \$450,000 federal grant. Dr. Patterson stated that the current school has a 35% reserve, and they have secured a \$100,000 line of credit.

Chair Hunkapiller, Ms. Ravare and Mr. Cartas all had questions regarding the diversity of the proposed school and recruitment strategies for ensuring a diverse population. Dr. Patterson stated that the school would use a variety of recruitment strategies to ensure a diverse student population, including advertising, outreach in the community, information nights, the district web site, etc. They want to partner with the district to attract students to the school. He stated that Rocklin Academy is ethnically more diverse than the district and with regard to economic diversity, the school was somewhere in the middle of district schools. Chair Hunkapiller expressed her expectation that, if approved, the school should be able to demonstrate a diverse student population with the first term of the charter.

State Superintendent of Public Instruction's State of Education Address

At 11:00 a.m., Chair Hunkapiller adjourned the meeting until 1:00 p.m., so that ACCS members and the public could attend the State Superintendent of Public Instruction's annual State of Education address.

Recognition of Tom Conry

Chair Hunkapiller reconvened the meeting at 1:05 p.m. and announced Mr. Conry's resignation from the ACCS. ACCS members applauded Mr. Conry for the logic, direct approach, sense of fairness, and open mindedness he brought to the meetings. Mr. Conry thanked ACCS members and stated that he has a much broader understanding of public education in California as a result of his service on the ACCS.

Continuation of Discussion on Item 1

Chair Hunkapiller continued discussion of the Western Sierra Collegiate Academy appeal. After discussion, Chair Hunkapiller asked for a motion.

ACTION: Mr. Kushner moved that the ACCS recommend to the State Board of Education that it approve the Western Sierra Collegiate Academy petition to establish a charter school, subject to the conditions and modifications recommended by CDE staff. Mr. Davis seconded the motion, and it was approved by unanimous vote of the members present.

The ACCS directed the CDE staff to:

- Be prepared to discuss new budget assumptions at the SBE meeting since the budget was prepared before the current budget crisis.
- Present data regarding the diversity of Rocklin Academy and the district in a chart for the SBE since there seemed to be

conflicting numbers cited by both parties at this meeting. Include data regarding the numbers of EL, students with disabilities, and low socioeconomic students. Allow petitioners and the district to review data in case there are errors.

- Report annually to the SBE and ACCS in the regular update to the SBE regarding the school's diversity, and its efforts to recruit and retain a diverse student body.
- Consider conducting a workshop for charter authorizers regarding the issues that are appropriate to consider in the charter petition approval process.

ACCS members wanted to be clear that they have some concerns about diversity based on the entirety of the testimony presented today and they wished the SBE to be aware of this concern. Ms. Barkley indicated that in addition to the requests of staff stated above, the Charter Schools Division would be monitoring the school closely as part of its normal oversight and will work with the petitioners to ensure the school recruits a diverse population. Mr. Kushner offered the school assistance from members of the ACCS, many of whom are very experienced in recruitment strategies.

Public Comments

Chair Hunkapiller invited comments from the public on matters not on the agenda.

Jeff Rice, Executive Director of A+ Learning, asked the ACCS for a commitment to flexibility with regard to the use of the budget crisis as a mitigating factor in SB 740 funding determinations. He stated that a number of schools are revising budgets now and want to know if they can do things such as raise budget reserves or increase pupil teacher ratios without penalty.

Eric Premack (CSDC) concurred with concerns expressed by Mr. Rice and added that charter schools don't have any predictability anymore with regard to the budget. Current year cuts could be 5 percent, which is much beyond margins schools have worked under historically. Deferred payments will cause great swings. The SB 740 process is unworkable right now. It discourages schools from spending on students right now. He suggested the ACCS needs to consider doing funding determinations in a new way.

ITEM 2: Appeal of Petition Denial at the Local Level – Everest Public High school

Ms. Ruskofsky presented the CDE staff report. She enumerated the reasons for denial in statute and described the criteria for review in regulations that CDE staff use in the reviews of charter appeals. She noted that the petitioners are the founders of another charter in San Mateo County, Summit Preparatory Charter High School, which has an API of 801 and a statewide and similar schools ranking of 10/9. The proposed charter school's focus is to prepare students for acceptance to and success in college. The school would serve about 100 high school students in the first year, growing to serve approximately 400 students. Important features of the school are the individualized learning (each student would have a personalized learning plan), a plan to match one student to one faculty advisor who can act as a mentor to that student, a focus on interventions for at risk students, extensive support for teachers' collaboration and professional development, and a comprehensive plan for tracking student performance and using data to modify the instructional program.

Hearing no questions from ACCS members, Chair Hunkapiller invited the petitioners to address the ACCS.

Diane Tavenner, Chief Executive Office, stated that the proposed school will be a replication of the Summit Preparatory Charter High School in Redwood City. Many of the founders are the same ones involved with Summit Preparatory. They expect that one hundred percent of their graduates will be accepted to four-year colleges. There is an aggressive outreach program to ensure the school has a diverse student population. They currently have 220 applications for the first 9th grade class. Ethnicity of the applicant pool is very comparable to the district's ethnic make-up. Summit Preparatory has a population that reflects the district. Summit Preparatory has always met its API and AYP targets. 88% of students have passed at least one Advanced Placement exam.

Four students that attend Summit Preparatory Charter High School spoke about the nurturing environment where all students are accepted and every student gets the same opportunities. One student spoke proudly of the fact that she is going to the University of California next year.

Chair Hunkapiller asked district representatives to make their presentation.

Lorraine Rumley, former president of the governing board of Sequoia Union High School District stated that the district has invested many millions of dollars in facilities for its charter schools and is supportive of charter schools. District staff findings, community opposition and financial data led the governing board to conclude it should oppose the charter.

Jean Holbrook, Superintendent of the San Mateo County Office of Education stated that the county felt that the proposed program couldn't be implemented without major changes. Further, approval of the charter would have had a substantial impact on the district as well as the districts' students. The budget presented by petitioners was overly optimistic and relied on soft money. Finally, the governing board felt that the lack of support would impact the charter school's likelihood of success.

Virginia Chang Kiraly, a parent with children in the district and a public servant, stated she thought she had a balanced perspective. She stated that the charter should not be approved. It had a private school-like focus. It was not designed for low-achieving students. Moreover, other schools in the district will suffer if funds are diverted to a new charter school, and diverse populations at the other schools will be harder to maintain.

Pat Gemma, Superintendent of the Sequoia Union High School District, stated that the charter school would have a negative financial impact on the district, because of the nature of the funding of charter schools in basic aid districts. Dr. Gemma also had

concerns with what he viewed as the exclusivity of the proposed college preparation program. He felt the new school would provide an unnecessary option in a district that is already doing well academically. He stated that information provided by the petitioners regarding diversity has not been verified, and that Summit Preparatory may be enrolling more Latinos but they are not necessarily students from poorer families.

Dr. Barber asked Dr. Gemma to explain how the funding worked in the district. He stated that it is a basic aid district and that they currently transfer over three million dollars to other charter schools. In addition, other non-public school placements for special education cost over \$80,000 per student. He estimates that about \$700,000 will go to support 100 students at Everest if the school is approved, but that there would be no out of pocket costs if the school doesn't exist. Dr. Barber asked Dr. Gemma what evidence had that indicated to him the program could not be implemented successfully. Mr. Gemma replied that the evidence was financial and the fact that the school would only have a small percentage of students enrolled in the program.

Mr. Kushner asked if the ethnicity data provided by Everest was accurate. Dr. Gemma stated that the 2007-08 data for Summit Preparatory regarding low socio-economic status and special education students was in question, as were the English Learner percentages. He believed that students were selectively counseled in and out of Summit Preparatory.

Diane Tavenner and John Deane, Chief Operational Officer of Summit Preparatory Charter School, stated that Everest already has 330 enrollment applications. Mr. Davis asked whether petitioners have analyzed the student demographics of the applicant pool. Ms. Tavenner stated that the wait list demographics were reflective of the district's population. Ms. Tavenner clarified that data on the CDE website regarding special education and EL student percentages at Summit Preparatory is not accurate. Dr. Barber indicated that a population of less than five percent special education or EL students would be of concern to her.

Other public comment.

Colin Miller stated that the California Charter Schools Association supports the charter. He further stated that Ms. Tavenner has been a leader in CCSA and that Summit Preparatory, upon which Everest is being modeled, is a successful school.

Eric Premack stated that the Charter Schools Development Center supports the charter. He stated that the district had not presented substantive objections to the charter; rather it is fiscal stress that is driving opposition, which is not relevant to the approval of a charter. He further stated that district and county offices need direction about what is relevant to consider in evaluating a charter petition and that such information could streamline the process.

Ms. Tavenner presented data that was used in a Nov. 2008 presentation before the district that showed an increase in the number of EL students in 2007-08 at Summit Preparatory. The number of special education students remained about the same. She stated that corrections had been submitted to CDE, and that the 2008-09 student demographic data is comparable to the district.

Dr. Barber asked why the petitioners chose to apply for a new charter rather than expand the existing Summit Preparatory. Ms. Tavenner indicated that the school's philosophy depended on a small school atmosphere to personalize each student's educational program and to know every student. Further, they would like to locate the school in Redwood City, which is in the center of the district. Ms. Tavenner stated the school would probably attract students from entire district. The programs at Everest and Summit Preparatory are the same, except the foreign language offered at Everest may be different (Mandarin instead of Spanish).

Mr. Kushner stated that the best way to provide a college preparatory program for all students is to support all students to achieve college aspirations. He further inquired about the amount of soft money petitioners projected. Petitioners stated the budget is conservative, and requires approximately \$700,000 in fund raising over 6 yrs. The school has currently raised almost \$200,000. The funds will come from both the community and parents.

Chair Hunkapiller asked if there were any further outstanding issues. There were none.

ACTION: Mr. Cartas moved that the ACCS recommend to the State Board of Education that it approve the Everest Public High School petition to establish a charter school, subject to the conditions and modifications recommended by CDE staff. Mr. Kushner indicated that he would also like to have CDE provide guidance to districts and county offices about what is relevant to consider in a petition review. Dr. Barber stated that there is often a reasonable tension between districts and petitioners, but that if a district goes bankrupt because of a charter school, it is not serving students well. We need to take a long term view. Mr. Davis seconded the motion, and it was approved by unanimous vote of the members present.

Break

At 2:50 p.m., Chair Hunkapiller called for a short break and reconvened the meeting at 3:00 p.m.

Item 3: Appeal of Petition Renewal Denied at the Local Level: Ridgecrest Charter School

Ms. Probst presented the CDE staff report on the petition for renewal. She summarized the history of Ridgecrest Charter School (RCS), including the fact that the school was the subject of a revocation action one year ago. Ms. Probst stated that the school had been given an additional year to improve academic performance. She further stated that there are positive changes taking place at school, and that the school is showing signs of improved student achievement, noting a 22 point gain on the API. Finally, Ms. Probst indicated that representatives from UCLA were present to address the ACCS regarding the one year contract with RCS for technical assistance to help the school make improvements to its curriculum, instruction, and use of data.

Mr. Cartas noted the CDE report indicates that the RCS leadership team is still unaware of how to review and utilize data. Ms.

Probst stated that CDE still doesn't have enough data on the school, and that UCLA is working extensively with the school on this issue.

Dr. Barber asked for the school's API ranking. The latest ranking was 3/1.

Tina Ellingsworth, Principal of RCS stated that the school has instituted many changes. All students are evaluated at the beginning of the school year, teachers collaborate more, they are collecting data with help of UCLA, and the school's demographics have changed. There are more EL students. Teachers also have received professional development from UCLA. The student population has increased to 214 students. There is a new apartment complex across the street from the school, and she anticipates an influx of students as a result. RCS now has an accountability system. The school uses state adopted texts. Its benchmark testing shows increases in student achievement, as measured by a 22 point API growth over the last two years.

Dr. Barber raised concerns regarding some of the data. The data showed declines in improvement in some areas and increases in the percentage of students in the far below basic and basic categories. Chair Hunkapiller expressed concerns that academic performance continues to lag compared to other schools in the district.

Dr. Barber recommended conditions to the approval of the renewal. Mr. Kushner stated that the SBE wants the ACCS to recommend only those charters that meet the "gold standard" and RCS does not appear to be achieving that level. Mr. Bauer indicated that he didn't support revocation of RCS a year ago, and the data was no different today from what it was then. Therefore, he is prepared to support the charter renewal and made a motion to recommend approval of the charter renewal. Mr. Cartas, on the other hand, questioned why the ACCS would renew the charter when it had no new data. Ms. Barkley summarized the SBE concerns about revoking the charter when the issue came before that body one year ago. RCS had an API of 731, which the SBE felt was not low enough to revoke the charter. They also couldn't separate the elementary API from the middle grades API because the reporting system does not make that possible. That made it difficult to tell where the problems seemed to be occurring. Mr. Cartas stated he was concerned with the school's ability to sustain change. Dr. Barber stated that the choices for the ACCS are to recommend revocation, non renewal or renewal of the charter. She further stated that if the charter is renewed, CDE should monitor it closely. Mr. Cartas requested a condition in the motion that requires RCS to work with a support provider, since the school appeared unable to make the changes necessary without external support. Mr. Bauer stated that he wouldn't agree to amend the motion in that fashion. He was interested in results.

ACTION: Mr. Bauer moved that the ACCS recommend to the State Board of Education that it approve the Ridgecrest Charter School petition to renew the charter. Mr. Kushner seconded the motion, and it was approved by a vote of the members present (7 - Yes, 1 - No).

Item 4: Renewal of All Charter District: Kings River-Hardwick Union Elementary School District

Ms. Probst presented the CDE staff report on the petition for renewal. Ms. Probst provided background information on the requirements for renewal of an all charter district. The petition was originally approved in May 2001 for a three-year term, and renewed in May 2004 for five years. It is a K-8 district that serves approximately 655 students, 40 percent of whom are inter-district transfer students; has a growth API of 810; and its statewide and similar schools rankings are 7/3. According to the district, charter status has allowed it to flourish because of the flexibility it has in the assignments of staff for non-core classes. The district provides strong support for at risk students; it has extracurricular activities for students; and strong parental involvement. The district is fiscally sound. Ms. Probst noted that all charter district renewals require joint approval of the State Superintendent of Public Instruction (SSPI) and that CDE staff had recommended renewal to the SSPI already. CDE staff now recommends the ACCS support the renewal and recommend approval to the SBE of a five-year renewal through 2014.

ACTION: Dr. Barber moved that the ACCS recommend to the State Board of Education that it approve the Kings River-Hardwick Union Elementary School District petition to renew the all charter district petition for another five-year period. Mr. Bauer seconded the motion, and it was approved by unanimous vote of the members present.

Item 5: Determinations of Funding – Nonclassroom-Based Instruction

Mary Ann Goodwin, Charter Schools Division, presented the CDE recommendations for funding determinations.

New Schools Recommended for 100 Percent for Two Years

San Francisco Sheriff's 5 Keys Independence High School.....	#1028
Learning Works Charter School.....	#1031
Kaplan Academy of Southern California.....	#1046
National University Academy of Health Sciences.....	#991
Golden Eagle Charter School.....	#983
Educational Outreach Academy.....	#1043
Big Sur Charter School.....	#1000

A request was made to consider the Clovis Online School separately. Chair Hunkapiller then asked if there were public comments on any of the funding determinations recommended at 100 percent for two years. There were none.

ACTION: Dr. Barber moved that the ACCS recommend to the SBE that it:

- Approve a 100 percent funding determination for each of the schools listed above for two years (2008-09 and 2009-10).

- Determine in each case that a rate greater than 70 percent is appropriate within the meaning of *Education Code* Section 47634.2(a)(4), because the recommended level is consistent with the criteria specified in the regulations pertaining to funding determinations as contained in *California Code of Regulations*, Title 5, Section 11963 et seq., noting the requirement that new schools be given serious consideration for full funding.
- Determine in each case that approval for a two-year period, instead of the five-year period requested, is appropriate taking into account the information presented in its totality.

Mr. Davis seconded the motion, and it was approved by unanimous vote of the members present.

Clovis Online School..... #1006

Chair Hunkapiller asked for a motion on the request from Clovis Online School.

ACTION: Dr. Barber moved that the ACCS recommend to the SBE that it:

- Approve a 100 percent funding determination for two years (2008-09 and 2009-10).
- Determine that in this case that a rate greater than 70 percent is appropriate within the meaning of *Education Code* Section 47634.2(a)(4), because the recommended level is consistent with the criteria specified in the regulations pertaining to funding determinations as contained in *California Code of Regulations*, Title 5, Section 11963 et seq., noting the requirement that new schools be given serious consideration for full funding.
- Determine in this case that approval for a two-year period is appropriate taking into account the information presented in its totality.

Mr. Davis seconded the motion, and it was approved by unanimous vote of the members present.

Continuing Schools Recommended for 100 Percent for Five Years

Stellar Charter School..... #223

Stellar Secondary Charter School..... #490

Chair Hunkapiller asked if there were public comments on the two funding determinations recommended at 100 percent for five years. There were none.

ACTION: Mr. Davis moved that the ACCS recommend to the SBE that it:

- Approve a 100 percent funding determination for each of the schools listed above for five years (2008-09, 2009-10, 2010-11, 2011-12 and 2012-13).
- Determine in each case that a rate greater than 70 percent is appropriate within the meaning of *Education Code* Section 47634.2(a)(4), because the recommended level is consistent with the criteria specified in the regulations pertaining to funding determinations as contained in *California Code of Regulations*, Title 5, Section 11963 et seq.
- Determine in each case that approval for a five-year period is appropriate taking into account the information presented in its totality.

Mr. Cartas seconded the motion, and it was approved by unanimous vote of the members present.

Continuing Schools Recommended for 100 Percent for Four Years

Mattole Valley Charter School..... #159

W.E.B. DuBois Charter School..... #270

Carter G. Woodson Charter School..... #378

Vantage Point Charter School..... #24

Mojave River..... #762

CORE Butte Charter School..... #945

Pacific View Charter School..... #277

Mr. Davis asked the ACCS to consider Horizon Charter School separately because he needed to recuse himself from discussion and voting on the school since his children attended the school. The Sierra Charter School was also requested to be treated separately.

Chair Hunkapiller asked for public comment on the funding determinations recommended for 100% for four years. There was none.

ACTION: Mr. Cartas moved that the ACCS recommend to the SBE that it:

- Approve a 100 percent funding determination for four years (2008-09, 2009-10, 2010-11 and 2011-12).
- Determine in each case that a rate greater than 70 percent is appropriate within the meaning of *Education Code* Section 47634.2(a)(4), because the recommended level is consistent with the criteria specified in the regulations pertaining to funding determinations as contained in *California Code of Regulations*, Title 5,

Section 11963 et seq.

- Determine in each case that approval for a four-year period, instead of the five-year period requested, is appropriate taking into account the information presented in its totality.

Mr. Davis seconded the motion, and it was approved by unanimous vote of the members present.

Horizon Charter School..... #015

There was no discussion on this funding determination. Mr. Davis left the meeting while a vote was taken.

ACTION: Mr. Bauer moved that the ACCS recommend to the SBE that it:

- Approve a 100 percent funding determination for this school for four years (2008-09, 2009-10, 2010-11 and 2011-12).
- Determine in this case that a rate greater than 70 percent is appropriate within the meaning of *Education Code* Section 47634.2(a)(4), because the recommended level is consistent with the criteria specified in the regulations pertaining to funding determinations as contained in *California Code of Regulations*, Title 5, Section 11963 et seq.
- Determine in this case that approval for a four-year period, instead of the five-year period requested, is appropriate taking into account the information presented in its totality.

Mr. Kushner seconded the motion, and it was approved by unanimous vote of the members present. Mr. Davis did not vote on this matter.

Sierra Charter School..... #898

Ms. Goodwin explained that Sierra Charter School is not an ASAM school as originally thought. The school does have an API. This information will be corrected in the report that goes to the SBE. Further, there are no objections from the school to the four-year funding determination even though had requested five years.

ACTION: Mr. Bauer moved that the ACCS recommend to the SBE that it:

- Approve a 100 percent funding determination for this school for four years (2008-09, 2009-10, 2010-11 and 2011-12).
- Determine in this case that a rate greater than 70 percent is appropriate within the meaning of *Education Code* Section 47634.2(a)(4), because the recommended level is consistent with the criteria specified in the regulations pertaining to funding determinations as contained in *California Code of Regulations*, Title 5, Section 11963 et seq.
- Determine in this case that approval for a four-year period, instead of the five-year period requested, is appropriate taking into account the information presented in its totality.

Mr. Kushner seconded the motion, and it was approved by unanimous vote of the members present.

Discussion – Earlier Start Time for Meetings

There was a brief discussion about the desirability of starting ACCS meetings at 9:30 a.m. rather than the normal 10:30 a.m. time. The consensus was to continue the normal start time 10:30 a.m. for the meetings.

Public Comment

Maram Alaiwat, Director of FAME Charter School requested that the ACCS consider mitigating circumstances for hybrid schools.

Adjournment

Chair Hunkapiller adjourned the meeting at 3:50 p.m.

The next meeting will be held on Wednesday, April 1, 2009, at the CDE Building, 1430 N Street, Room 1101, Sacramento.

Questions: Charter School Staff | charters@cde.ca.gov | 916-322-6029

Last Reviewed: Friday, June 26, 2009