

MEETING NOTES

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

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

Monday, January 14, 2008

MEMBERS PRESENT

Rae Belisle, Chair
Jesse Barajas
Vicki Barber
Carol Barkley*
Brian Bauer
Paul Cartas
Tom Conry
Beth Hunkapiller
Mark Kushner

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
Keith Edmonds, Consultant, CDE Charter Schools Division
Deborah Probst, Consultant, CDE Charter Schools Division
Greg Geeting, Retired Annuitant, CDE Charter Schools Division

Call to Order

Chair Belisle called the meeting to order at 10:31 a.m.

Flag Salute

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

Introductions

Chair Belisle invited the members and principal staff to introduce themselves, beginning with new members Brian Bauer and Paul Cartas.

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Oath of Office

Chair Belisle administered the Oath of Office to new members Brian Bauer and Paul Cartas, as well as reappointed members Tom Conry and Beth Hunkapiller.

Approval of Meeting Notes

Chair Belisle asked if there was a motion to approve the notes from the last ACCS meeting held on September 25, 2007.

ACTION: Ms. Barber moved that the notes of the meeting held on September 25, 2007, be approved as presented. Mr. Conry seconded the motion, and it was approved by a vote of 5-0. Messrs. Barajas, Bauer, Cartas, and Kushner were not present at the September meeting.

Public Comment

Chair Belisle invited comments from the public on matters not on the agenda. There were none.

Special Presentation – University of California A-G Approval: Policy Regarding Courses Provided Through Non-Site-Based Independent Study Schools

Chair Belisle welcomed Susan Wilbur, Director of Undergraduate Admissions, University of California (UC) Office of the President, to address the ACCS on the subject of the UC's recently-adopted policy regarding a-g approval of courses provided through non-site-based independent study schools. Ms. Wilbur distributed copies of the policy, as adopted by the Articulation and Evaluation Committee of the Board of Admissions and Relations with Schools (BOARS) in November 2007. She briefly described her own background and the work of her office. She then provided some historical background on the policy's development over an approximately three-year period. She indicated that the essential purpose of the policy is to recognize and reflect the changing landscape of educational delivery in secondary education. She also commented that the essential purpose of the a-g course pattern (going back to its origin in 1931) is to ensure that freshman are prepared to succeed in their first year of study. She noted recent statistics that 95 percent of UC's freshman matriculate to the second year, and 83 percent of them complete baccalaureate degrees.

Ms. Wilbur indicated that the policy focuses on three principal items: mode of study, qualifications of instructors, and proctoring of examinations. She commented that the policy is in alignment with UC's existing policy related to online courses. A letter announcing the policy will be going out (probably in January) to all non-site-based public and private high schools. UC campuses are being updated on the status of the policy. Campuses may depart from the policy, and Ms. Wilbur described some circumstances under which departure from the policy might occur. She emphasized that in the process of implementing the policy the UC Office of the President is committed to working with campuses to keep any individual student from being disadvantaged. She also

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concluded by saying that the policy will be subject to review and evaluation in about five years.

Ms. Barber inquired about the means that will be employed in evaluating the policy. Ms. Wilbur described generally what would be examined, but indicated that there was not a specific evaluation plan at this time. Ms. Barkley inquired about the origin of the 50 percent and 80 percent figures used in the policy. Ms. Wilbur indicated that she thought those figures had originated from discussion with CDE staff. Ms. Barkley also inquired about the organizations with which the UCOP had consulted. Ms. Wilbur specifically recalled the Charter Schools Development Center and the A-Plus organization, but indicated that there were others as well.

Mr. Conry inquired regarding the UC completion rate for students who had graduated from nonclassroom-based high schools. Although Ms. Wilbur did not have that statistic along with her, she commented that she thought it could be calculated from UC's database. She indicated that she would follow-up on the matter and get back to Mr. Conry. She emphasized, though, that the numbers of students coming to UC from nonclassroom-based high schools is very small (which may make a percentage figure somewhat unreliable).

Mr. Bauer inquired as to which online schools had been approved to deliver a-g courses. Ms. Wilbur indicated that there are two: National University Virtual High School and University of California College Prep Initiative (UCCP). She commented that the UCOP is currently working with Brigham Young as well, and that she thought it would soon be approved.

Chair Belisle, commenting from the parent perspective, expressed concern as to whether the policy is clear and well communicated. She inquired about public input in the process of developing the policy and the rights of parents to protest course exclusions. Ms. Wilbur commented that those were fair questions and that parent input had not been specifically collected in the process of developing the policy. She reemphasized the commitment of the UCOP not to disadvantage individual students, but indicated that there is no formal procedure for protests related to course exclusions. Chair Belisle expressed hope that the UCOP would consider those ideas, concluding that parents can easily find the process of helping their children pursue UC admission to be daunting.

Ms. Barber inquired as to whether the 50 percent and 80 percent thresholds were exclusionary, thus limiting the policy's application somewhat arbitrarily. Ms. Wilbur commented that for those schools not coming within the policy, UC campuses will typically rely on the testimony of the high school principal that an independent study course is of equal rigor to a site-based course. There was considerable discussion on this topic. In concluding the discussion, Ms. Wilbur commented that, although there was

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some potential for abuse, the UC felt it important to rely on the integrity of high school principals.

Chair Belisle thanked Ms. Wilbur and invited public comment. Eric Premack, CSDC, expressed concern that the policy was largely developed “behind closed doors,” and that aspects (such as the 50 percent and 80 percent thresholds) appeared arbitrary. He encouraged the UCOP to reopen discussion of the policy, noting that there may be less burdensome ways of accomplishing the policy’s objectives. John Cardoza, Delta Charter High School, commented that UCCP no longer offers courses to the best of his understanding, thereby leaving only a single approved online provider. He requested that Ms. Wilbur comment on the matter. Chair Belisle indicated that she feared this issue might lead to a protracted discussion and that time did not allow further consideration at this meeting. She invited Mr. Cardoza to discuss the issue separately with Ms. Wilbur, and requested that staff provide a summary response to ACCS members at the next meeting.

2007-08 (and beyond) Funding Determinations

Chair Belisle invited Mr. Edmonds to present the 2007-08 (and beyond) funding determinations. He began by making a brief consolidated presentation regarding the following requests which were then acted upon in a single motion as indicated below. No speakers.

The Circle of Independent Living Charter School #152
Recommended for prospective five-year approval (2008-09 through 2012-13) at the 100 percent level.

Orchard View Charter School #310
Somis Academy Charter School #519
Folsom Cordova Community Charter School #650
Recommended for five-year approval (2007-08 through 2011-12) at the 100 percent level.

Merced Scholars Charter School #631
Recommended for prospective three-year approval (2008-09 through 2010-11) at the 100 percent level.

San Lorenzo Valley USD Charter School #25
Wheatland Charter Academy #370
Recommended for three-year approval (2007-08 through 2009-10) at the 100 percent level.

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Westwood Charter School..... #399
South Sutter Charter School..... #724
Recommended for two-year approval (2007-08 and 2008-09) at the 100 percent level.

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

- Approve a 100 percent determination of funding for each of the schools listed above for the time periods noted, including (where applicable) the conditions identified by CDE staff.
- Determine in each case that a level 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 determinations of funding as contained in *California Code of Regulations*, Title 5, Section 11963 et seq.
- Determine that the time period noted, where different from the school's request, is advisable based upon review of the information presented in its totality.

Ms. Hunkapiller seconded the motion, and it was approved by unanimous vote.

Mountain Oaks Charter School..... #527
Mr. Edmonds presented the CDE staff recommendation for approval at the 100 percent level for two years (2007-08 and 2008-09), based upon mitigating factors. He noted that the school's revenue and expenditure data supported approval at the 85 percent level. However, excluding certain one-time revenues is appropriate. Richard Anderson, the school's administrator, distributed a written statement and orally indicated that the school accepted and supported the CDE staff recommendation. No speakers.

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

- Approve a 100 percent determination of funding for this school for two years (2007-08 and 2008-09), including the conditions identified by CDE staff.
- Determine that a level 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 determinations of funding as contained in *California Code of Regulations*, Title 5, Section 11963 et seq., taking into account exclusion of certain one-time revenues as a mitigating factor.

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- Determine that approval for a two-year period, instead of the five-year period requested, is advisable based upon review of the information presented in its totality.

Ms. Hunkapiller seconded the motion, and it was approved by unanimous vote.

Butterfield Charter High School.....	#867
Forest Charter School.....	#872
Twin Ridges Home Study Charter School.....	#873
Sacramento Academic & Vocational Academy	#878
Mission View Public School	#888
Sierra Charter School	#898
Sky Mountain Charter School	#905
School of Extended Educational Options	#914
Los Angeles County Online High School.....	#923
California Virtual Academy @ San Joaquin.....	#939

Mr. Edmonds presented the CDE staff recommendation for approval of each of these requests at the 100 percent level for two years (2007-08 and 2008-09), subject to various conditions. These are new schools, and the regulations indicate that special consideration should be given to approval at the 100 percent level. No speakers.

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

- Approve a 100 percent determination of funding for each of these schools for two years (2007-08 and 2008-09), including the conditions identified by CDE staff, noting that these are new schools and, by regulation, special consideration is to be given to approval at the 100 percent level.
- Determine in each case that a level 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 determinations of funding as contained in *California Code of Regulations*, Title 5, Section 11963 et seq., taking into account the provision for special consideration of new schools.
- Determine, where applicable, that approval for a two-year period, instead of the five-year period requested (in certain cases), is advisable based upon review of the information presented in its totality.

Ms. Hunkapiller seconded the motion, and it was approved by unanimous vote.

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Opportunities for Learning-Baldwin Park II #874

Mr. Edmonds presented the revised CDE staff recommendation for approval at the 85 percent level for two years (2007-08 and 2008-09), subject to various conditions. He indicated that this is a new school, which thus requires that special consideration be given for approval at the 100 percent level. However, he indicated that the 85 percent level is recommended because it is the highest level provided to any OFL school. OFL is a for-profit operator of charter schools, and an audit (now being appealed) found that OFL may have been significantly overpaid for the students served. He also noted that another school chartered by the same district, OFL's Baldwin Park I (which has enrollment of about 3,000 students), is funded at the 70 percent level.

Ms. Barber asked for clarification on the potential for mass movement of students from Baldwin Park I to this new school. Mr. Conry asked for clarification regarding the tie between this school and OFL-Capistrano (which is funded at the 85 percent level). He also asked how long OFL-Capistrano had been in existence. Chair Belisle concurred with the concern expressed about movement between Baldwin Park I and II. She indicated that she would be inclined to drop the funding determination to 70 percent if large numbers of students were being shifted between the schools.

Kerry Mazzoni, representing OFL, indicated that the organization does not anticipate massive change in enrollment among the two schools' students. She noted that this new school, Baldwin Park II, provides additional services (e.g., specialized counseling and parent involvement) tailored to the needs of homeless youth, a disproportionate number of whom are in special education. She indicated that the school's enrollment is currently about 175, and that OFL anticipates P2 ADA to be about 184.

Mr. Bauer inquired about the distance between the two schools. Ms. Mazzoni responded that a single location has been established for Baldwin Park II, but that Baldwin Park I is actually located on several sites (learning centers). Mr. Bauer commented that OFL's history vis-à-vis the audit gave him pause for concern and that he would favor some mitigation as a result. Ms. Mazzoni commented that OFL would be willing to provide whatever data CDE staff needed to verify enrollment at Baldwin Park II and ensure that large numbers of students were not transferring from Baldwin Park I. Chair Belisle commented that she would welcome the verification by CDE staff and would request a report back to the ACCS.

Ms. Hunkapiller indicated that, as a matter of "equal treatment," the 85 percent level recommended by CDE staff tended to give her a level of comfort with the recommendation, although she still had some misgivings. Mr. Conry asked what OFL's request actually was. Ms. Mazzoni indicated that OFL's request had been for 100 percent for two years. Based upon an inquiry from Mr. Conry, Mr. Edmonds provided a brief update on the status of the OFY/OFL audit resolution. Mr. Conry asked that the

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new members receive a hardcopy of the audit for background information. There was further discussion regarding the audit and the submission of enrollment data by OFL.

Mr. Conry indicated that due to the issues raised in the audit, he could not support the 85 percent recommendation. Ms. Barber and Ms. Barkley commented that they were comfortable with the 85 percent recommendation as a middle ground.

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

- Approve an 85 percent determination of funding for this school for two years (2007-08 and 2008-09), including the conditions identified by CDE staff and with the assurance that OFL will provide the data necessary for CDE staff to evaluate the extent to which this school's students are transfers from Baldwin Park I.
- Determine that a level 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 determinations of funding as contained in *California Code of Regulations*, Title 5, Section 11963 et seq., taking into account the mitigating factors identified by CDE staff.
- Determine that approval for a two-year period is consistent with the school's request and is advisable based upon review of the information presented in its totality.

Mr. Bauer seconded the motion, and it was approved by a vote of 7-1-1. Mr. Conry voted against the motion, and Ms. Hunkapiller did not vote.

Stellar Charter School..... #223
Stellar Secondary Charter School #490

Mr. Edmonds indicated that CDE staff recommended reopening the funding determinations for these schools based upon new information. He noted that errors had been identified in the funding determination requests. The schools had been proactive and had contacted the CDE to discuss how to proceed. Using the correct revenue and expenditures figures, the school would qualify for a 70 percent funding determination. However CDE staff recommend the 85 percent level based upon the mitigating factors of the schools' small size and high academic achievement. Cindy Anderson, the school's director, stated that the drop to 85 percent would hurt the schools' expansion plans.

Ms. Barber inquired about the chronology of events that led up to the discovery of the data errors. Mr. Kushner inquired as to whether the school was direct funded, which it

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is. Ms. Barber noted that, even if lowered to the 85 percent level in 2007-08, the school could return during 2008-09 for a second funding determination if the school's 2007-08 revenue and expenditure data come into line for the 100 percent level. If granted a 100 percent funding determination in 2008-09, the result of the CDE staff recommendation would be just a one-year reduction of 15 percent, which appears quite reasonable.

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

- Approve an 85 percent determination of funding for each of the two schools for two years (2007-08 and 2008-09), with a statement of encouragement for the schools to return during 2008-09 to seek a second determination of funding if 2007-08 revenue and expenditure data support a higher level.
- Determine in each case that a level 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 determinations of funding as contained in *California Code of Regulations*, Title 5, Section 11963 et seq., taking into account the mitigating factors identified by CDE staff.
- Determine in each case that approval for a two-year period, instead of the five-year period requested, is advisable based upon review of the information presented in its totality.

Mr. Barajas seconded the motion, and it was approved by unanimous vote.

Lunch Break

Chair Belisle called for the lunch break at 12:07 p.m. She reconvened the meeting at 12:58 p.m.

Ivy Academia: Appeals of Petitions for Chartering Two Schools, 6-8 and 9-12

Ms. Probst provided background information regarding the denials of two charter petitions submitted by Ivy Academia to the LAUSD, and subsequently (upon appeal) to the Los Angeles County Board of Education. She noted that key reasons for the denials surrounded findings included in an Office of Inspector General audit of Ivy Academia and certain funding issues. She also noted that the 6-8 and 9-12 petitions were challenging to analyze in that neither was specific to the intended grade levels. The existing K-12 Ivy Academia has an outstanding academic record, and it is not clear why the petitioners are proposing to split the single school into three schools. The petitioners have indicated that the state's accountability system was a principal reason for seeking to split the school into three separate schools, but CDE staff is not sure why, given that the school's API approximately 850 is exceptional in all categories (elementary, middle, and high). Ms. Probst also noted that EC Section 47602 may preclude the SBE from

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issuing more than one number to an existing school. The section states that “sites that share educational programs and serve similar pupil populations may not be counted as separate schools.” The applicability of the section in this circumstance is open to question, but could preclude the issuance of additional charter numbers.

Mr. Barber inquired about the CDE staff view of the audit exceptions. Julie Klein of the Charter Schools Division reviewed the exceptions noted in Ivy Academia’s 2006-07 annual audit, such as lack of accounting discipline and financial documentation that could place the school at financial risk. Ms. Probst added that inappropriate commingling of funds was a principal finding in the OIG audit. She emphasized that all of the issues were certainly ones that needed to be addressed, but that these were audits of the existing Ivy Academia and did not necessarily relate directly to the petitions under consideration.

Chair Belisle invited the petitioners to make their presentation. Inquiring of the audience, she found that no one present intended to speak in opposition to the petitions. Therefore, she suggested that the petitioners endeavor to complete their remarks in approximately 15 minutes for each charter, or a total of about 30 minutes.

Ivy Academia directors Tatyana Berkovich and Eugene Selivanov were the principal presenters. Ms. Berkovich provided background information about the existing school, including playing a short news clip that had appeared on local television. She provided a basic description of the school’s mission and goal, as well as the school’s entrepreneurial education framework, which is composed of foundation (elementary grades), bridging (middle grades), and focus (high school). She emphasized that giving back to the community is an essential component of the entrepreneurial education framework.

Mr. Selivanov addressed why the school was pursuing creation of new charters. He indicated that there were three principal reasons. First, through separate schools, the organization would be able to compare itself to each of the three classifications of schools included in the state’s accountability system: elementary, middle, and high. Second, having three separate schools aligns better with what the organization is trying to achieve programmatically. Third, the organization believes there are financial advantages to having three separate schools. In regard to the OIG audit findings, Mr. Selivanov indicated that Ivy Academia had invited FCMAT to review the school’s operation and that the school was committed to following FCMAT’s advice. He indicated that the school was concerned about becoming “over-administered” and felt FCMAT would provide balanced advice. Finally, in regard to the pursuit of new petitions, Mr. Selivanov reviewed the organization’s experiences with the LAUSD and the projected time line for consideration of the renewal of the existing Ivy Academia charter. He emphasized that the school has endeavored to be responsive to LAUSD’s concerns and requests.

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Jerry Simmons (Spector, Middleton, Young & Minney), representing Ivy Academia, discussed a concern that had been raised about two employees serving on the school's governing board. He indicated that their service on the governing board is allowed by the nonprofit corporation law. He also indicated that the school's governing board is in compliance with the state's Political Reform Act of 1974. Finally, he commented that EC Section 47602 did not appear to present a barrier to the SBE approving and numbering the two schools, as they are distinct programs though they have a common theme.

Colin Miller (California Charter Schools Association) commented that these two schools gave the appearance of replication schools, and it should be the developers' choice therefore to have one school or multiple schools. He also indicated that numbering did not present an issue in relation to approval of the schools, as numbering is a separate action from approval. He encouraged the ACCS to recommend approval of the two petitions.

Mr. Kushner inquired as to whether this was, in fact, replication, or the splitting up of an existing single school. Mr. Probst indicated that the documentation presented by the petitioners gives the appearance of an existing single school being divided into three separate schools.

Ms. Barkley inquired about the accountability issue. Mr. Selivanov responded that the LAUSD rubric for evaluation of charter schools did not take into account a K-12 school versus traditional elementary, middle, and high school configurations. He reiterated that Ivy Academia is trying to be responsive to the district's requests and methodology for evaluation.

Ms. Barber commented that she could understand the issue of comparison with other schools. However, she did not see any particular benefit to students by creating three schools. She also expressed skepticism about the argument that additional funding would become available. Mr. Selivanov responded that it was, in his opinion, easier to obtain access to grants for schools that had traditional elementary, middle, or high school configurations.

Ms. Barkley commented that Ivy Academia would not become eligible for additional PCSGP sub-grants by dividing a single school into three schools. Mr. Selivanov responded that he was referring not only to public grant funds, but also to private foundation grants.

There was extended discussion regarding the exact nature of the Ivy Academia proposal, including how the admission process would work with multiple schools. Mr. Selivanov reiterated that Ivy Academia was trying to be responsive to LAUSD by proposing three schools, one of which would be the existing school reconfigured from K-12 to K-5. However, he indicated that it would be acceptable to the petitioners to have a

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four-charter proposal that retained the existing school as K-12, then added three new schools as elementary (K-5), middle (6-8), and high (9-12) schools. He also reiterated that Ivy Academia's effort was not exclusively financial in motivation, but also involved improved accountability and better application of the resources received.

Mr. Bauer inquired about the physical school sites. Mr. Selivanov indicated that it was difficult to be sure how the situation with facilities would work out over time, given the nature of the Proposition 39 facilities request process. If there were eventually to be three or four charters, the schools might share sites or they might have separate sites.

Ms. Hunkapiller expressed concern that opening more schools (particularly a middle school and a high school) did not bode well for the organization's financial health. These grade levels are more expensive to operate, and she felt these were exactly the wrong two petitions to bring forward. She also expressed discomfort with the argument relating to access to grants. Grants are by their nature unstable, unreliable sources of income, not something on which to build ongoing programs.

Ms. Barber quoted the letter provided by Ivy Academia's legal counsel in support of her view that the petitions now under consideration reflect a spilt of the existing school into three schools, not the creation of new schools. Therefore, she concluded, these petitions are not replications. She encouraged the petitioners to withdraw as recommended by CDE staff. The petitions are "fraught with concerns" in her opinion. As for the existing Ivy Academia, she complimented the operators for bringing in FCMAT. Following FCMAT's advice will be beneficial to the long-term health of the organization.

Following some further discussion of the status of Ivy Academia's petitions now before LAUSD, Mr. Selivanov inquired whether the ACCS could postpone consideration of these two petitions until the LAUSD acts. CDE staff pointed out that there may be an issue with respect to the SBE complying with its own regulation vis-à-vis the time line for consideration of the two petitions. Mr. Simmons indicated for the record that Ivy Academia would voluntarily forego consideration of the two petitions at the March SBE meeting, notwithstanding the time line specified in the regulation.

Chair Belisle expressed concern that she would likely not be in a position to support the charters at a future time given the issues that had been identified. The charters would need so much modification that they would arguably become completely different and, therefore, would no longer be appeals of what had been denied locally. However, she felt it might be instructive to use the Ivy Academia petitions as examples to study what's happening at the LAUSD in relationship to charter consideration. She asked that information be brought back by CDE staff in that regard.

Following a pause in the Ivy Academia consideration (while the ACCS went ahead to consider the Ridgecrest matter), Mr. Simmons reiterated the petitioners' call to simply

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put over the two petitions for further consideration at the next ACCS meeting. He acknowledged that depending on the actions of LAUSD, the petitioners may withdraw the petitions prior to the next ACCS meeting.

Mr. Conry indicated that putting over further consideration appeared to be somewhat of a waste of time given the general tenor of the discussion which led him to believe that these petitioners were unlikely to be recommended for approval. Ms. Barber commented that while she had reservations related to the proposed charters, she also felt it prudent to have these vehicles available if the LAUSD fails to act in a timely manner.

FURTHER CONSIDERATION POSTPONED. Chair Belisle indicated that the ACCS had spent a great deal of time on the petitions and did not have good options. She asked if, by consensus, the ACCS would agree to postpone further consideration of the two petitions to the March ACCS meeting, noting the potential that the petitioners might withdraw prior to that time. No objections being expressed, she concluded that such would be the group's decision and direction to staff.

Ridgecrest Charter School: Progress in Addressing Notice to Cure

Ms. Probst reviewed key information regarding Ridgecrest Charter School from the point of renewal in 2004, to the SBE's issuance of a Notice to Cure in September 2007, to the site visits and discussions over the past several months. She indicated that the point of inviting the school's leaders to today's meeting was to provide the ACCS members the opportunity both (1) to give advice as peers and (2) to begin the process of evaluation that will result (eventually) in the ACCS recommendation to the SBE whether to revoke or not to revoke the school.

Craig Bradley, president of the Ridgecrest governing board, expressed appreciation for the opportunity to address the ACCS. He noted, among other things, that Ridgecrest had met its API growth target in 2007. Tina Ellingsworth, the school's education director, presented some graphs of achievement data based upon Open Court Reading assessments for grades 2 through 6, and some statistical data related to mathematics achievement in grades K through 8 based upon SuccessMaker assessments.

Ms. Hunkapiller commented that it is imperative for the school to get on top of the data and use it productively in "cycles of inquiry." Chair Belisle inquired about the apparent consideration of expansion to grade 9 next year. Ms. Ellingsworth responded that, while the idea had been considered, the school leadership had decided not to expand until the K-8 program is firmly in place.

Ms. Probst highlighted the need for multiple data points to help decide whether the school was making solid progress this year. Chair Belisle commented that the Open Court assessment data will be useful in that regard, because those data do appear to

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correlate to the standards-based STAR tests. In regard to mathematics, however, she had doubts the SuccessMaker data would be revealing.

Ms. Probst commented that the matters of the public hearing and the decision on the revocation were now likely to occur at the SBE's May meeting. She indicated that the ACCS would be asked to make a recommendation at its next meeting.

Mr. Bradley inquired as to whether the ACCS members wished other data. Mr. Cartas echoed Chair Belisle's thought that the Open Court assessment data will be a key factor, but that SuccessMaker would not necessarily be a good tool. He inquired about the latter's alignment to standards. Ms. Ellingsworth indicated that SuccessMaker now provides a correlation table to demonstrate alignment to California standards. Mr. Cartas commented that the lengthy narrative in the Student Achievement Plan did not appear particularly helpful in his view. He suggested greater use of data tables and concise statements of action to be taken. He commented that it simply was not clear to him what it will take to turn this school around. He mentioned another evaluation tool that he had found helpful in the past in relation to mathematics.

Chair Belisle thanked Mr. Bradley and Ms. Ellingsworth for providing the achievement data and engaging in an initial discussion with the ACCS members. She indicated that the ACCS will look forward to their return in March, hopefully with more data showing steady gains in achievement and a strengthened Student Achievement Plan.

Facilities Bond and Oversight Costs

Chair Belisle commented on a matter relating to facilities bond funding and oversight costs. She indicated that it appears that the LAUSD charges the maximum three percent oversight fee for charter schools that are constructing facilities with bond funds. The justification appears to be that the district holds title to the new facilities, thereby making them district facilities, and the LAUSD does not levy the pro rata (per square foot) charge. Therefore, even though the charter school pays the 50 percent local share of the facilities' construction costs (as well as being responsible for the facilities' upkeep), the district has concluded that the facilities are substantially rent free within the meaning of EC Section 47613 and that, thus, the district is entitled to the higher (three percent) oversight fee. Chair Belisle asked staff to bring this issue before the ACCS for consideration in March.

Adjournment

There being no further business to come before the ACCS, Chair Belisle adjourned the meeting at 3:29 p.m.

The next meeting will be held on Monday, March 17, 2008, at the CDE Building, 1430 N Street, Room 1101, Sacramento.