

Santa Cruz County Board of Education
Santa Cruz County Office of Education
400 Encinal Street
Santa Cruz, CA 95060

Regular Board Meeting
July 19, 2018
Time: 4:00 p.m.
Board Room

AGENDA

1.0 **CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF QUORUM**

Bruce Van Allen (President), Jane Royer Barr, Rose Filicetti, Sandra Nichols, Sue Roth,
Dana Sales, Abel Sanchez
Michael Watkins, Secretary

2.0 **PLEDGE OF ALLEGIANCE**

Bruce Van Allen (President) will lead the Pledge of Allegiance.

3.0 **APPROVAL OF AGENDA**

Agenda deletions and/or changes of sequence will be approved or the agenda will be approved as submitted.

4.0 **PUBLIC COMMENT**

This is an opportunity for the public to address the Board regarding items not on the agenda. The Board President will recognize any member of the audience not previously placed on the agenda who wishes to speak on a matter directly related to school business. Each speaker, on any specific topic, may speak up to **three (3) minutes** unless otherwise limited or extended by the President. The President may allot time to those wishing to speak but no action will be taken on matters presented (E.C. Section 35145.5). If appropriate, the President, or any Member of the Board, may direct that a matter be referred to the Superintendent's Office for placement on a future agenda. Please refer to item, *Please Note*, on the last page of this agenda.

5.0 **CONSENT AGENDA**

All items appearing on the consent agenda are recommended actions, which are considered to be routine in nature and will be acted upon as one motion. Specific items may be removed for separate consideration. Item(s) removed will be considered immediately following the consent agenda motion as Deferred Consent Items.

5.0.1 Minutes of Special Board Meeting/Retreat held on June 1, 2018

5.0.2 Minutes of Special Board Meeting held on June 14, 2018

5.0.3 Minutes of Board Meeting held on June 21, 2018

5.0.4 Donations

5.1 DEFERRED CONSENT ITEMS (if required)

This item is placed on the agenda to address any items that might be pulled from Agenda Item 5.0 for further discussion/consideration if so determined.

6.0 CORRESPONDENCE

Correspondence will be available for review at the meeting location.

7.0 RECOGNITIONS

7.1 Rebecca Bogdan

The Board will recognize Rebecca Bogdan, School Nurse, Special Education Department, for her 20 years of service to the Santa Cruz County Office of Education.

Presenter: Michael Watkins, Superintendent

7.2 Mary Anne James

The Board will recognize Mary Anne James, Associate Superintendent, Educational Services for her six years of service to the Santa Cruz County Office of Education and her 35 years of service to Education.

Presenter: Michael Watkins, Superintendent

8.0 REPORTS, DISCUSSIONS AND PRESENTATIONS

8.1 Childhood Advisory Council

The Board will receive a presentation concerning the Childhood Advisory Council's 5-Year Master Plan. The Childhood Advisory Council is a state funded commission with members appointed by the County Superintendent of Schools and County Board of Supervisors. The Council provides leadership for the assessment, development and sustainability of quality early care and education and school age recreation options in Santa Cruz County.

Presenters: Martine Watkins, Senior Community Organizer
Diane Munoz, Childhood Advisory Council Coordinator

9.0 PUBLIC HEARINGS/NEW BUSINESS AND ACTION ITEMS

9.1 Watsonville Prep School

The Board will conduct a Public Hearing to solicit input from members of the public regarding the creation of a countywide charter school in Watsonville (Watsonville Prep School).

Open, Conduct, and Close the Public Hearing: Bruce Van Allen (President)

10.0 UNFINISHED BUSINESS

11.0 SUPERINTENDENT REPORT

County Superintendent of Schools, Michael C. Watkins, will provide an update on activities and matters of interest.

12.0 TRUSTEE REPORTS (3 minutes each)

Trustees will report on matters, events and activities as related to Board goals of: Advocating for students, maintaining community relations and promoting student achievement.

13.0 AD HOC COMMITTEE REPORTS/ACTIONS (if any)

14.0 ADDITIONS, IF ANY, TO FUTURE BOARD AGENDA ITEMS

15.0 SCHEDULE OF MEETINGS AND COMING EVENTS

August 16, 2018 4:00 p.m.	Regular Meeting of the County Board of Education 400 Encinal Street, Santa Cruz, CA 95060
August 20, 2018 8:00 a.m.	SCCOE Employee Orientation Meeting Sequoia Schools 229 Green Valley Rd. Freedom, CA 95019
September 20, 2018 4:00 p.m.	Regular Meeting of the County Board of Education 400 Encinal Street, Santa Cruz, CA 95060
October 18, 2018 4:00 p.m.	Regular Meeting of the County Board of Education 400 Encinal Street, Santa Cruz, CA 95060

16.0 ADJOURNMENT

The Board President will adjourn the meeting.

PLEASE NOTE:

Public Participation:

All persons are encouraged to attend and, when appropriate, to participate in meetings of the Santa Cruz County Board of Education. If you wish to speak to an item on the agenda, please be present at the beginning of the meeting as any item, upon motion, may be moved to the beginning of the agenda. Persons wishing to address the Board are asked to state their name for the record. The president of the Board will establish a time limit of three (3) minutes, unless otherwise stated by the president, for comments from the public. Consideration of all matters is conducted in open session except those relating to litigation, personnel and employee negotiations, which, by law, may be considered in closed session. Expulsion appeal hearings are heard in closed session unless a request for hearing in open session is made by the appellant.

Backup Documentation:

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the County Office of Education, located 400 Encinal Street, Santa Cruz, CA 95060, during normal business hours.

Translation Requests:

Spanish language translation is available on an as-needed basis. Please make advance arrangements with Jim Guss by telephone at (831) 466-5900. Traducciones del inglés al español y del español al inglés están disponibles en las sesiones de la mesa directiva. Por favor haga arreglos por anticipado con Jim Guss por teléfono al número (831) 466-5900.

ADA Compliance:

In compliance with Government Code section 54954.2 (a), The Santa Cruz County Office of Education will, on request, make this agenda available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability-related modification or accommodation in order to participate in the meeting should contact Jim Guss, Administrative Aide to the Superintendent, 400 Encinal St., Santa Cruz, CA 95060, (831) 466-5900.

SUPERINTENDENT'S RECOMMENDATION FOR BOARD ACTION

SUBJECT:

Consent Agenda: Special Board Meeting/Retreat Minutes, June 1, 2018

DEPARTMENT/PROGRAM:

Santa Cruz County Board of Education

ACTION REQUESTED:

Board Approval

PREVIOUS STAFF/BOARD ACTION:

None

BACKGROUND INFORMATION AND/OR STATEMENT OF NEED:

Consent Agenda items are recommended for approval as actions routine in nature and acted upon as one motion. Specific items may be removed for separate consideration.

FISCAL IMPLICATIONS:

None

CONTACT PERSON(S):

Michael Watkins, Superintendent
Jim Guss, Administrative Aide to the Superintendent

Santa Cruz County Board of Education
Santa Cruz County Office of Education
399 Encinal Street
Santa Cruz, CA 95060

Special Board Meeting/Retreat
June 1, 2018
Time: 9:00 a.m.
COE Annex

UNAPPROVED MINUTES

1.0 CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF QUORUM

Board Present

Bruce Van Allen (President)
Sue Roth (Vice-President)
Jane Barr
Rose Filicetti
Sandra Nichols
Dana Sales
Abel Sanchez

Staff Present

Faris Sabbah
Mary Hart
Mary Anne James
Troy Cope
Jim Guss

Absent

None

2.0 PLEDGE OF ALLEGIANCE

Bruce Van Allen (President) led the Pledge of Allegiance.

3.0 APPROVAL OF AGENDA

It was M.S.C (Filicetti/Sales) to approve the Agenda.

Ayes:	Barr, Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	None

4.0 PUBLIC COMMENT

None.

5.0 REPORTS, DISCUSSIONS AND PRESENTATIONS

5.1 Review of Vision, Mission and Philosophy

Deputy Superintendent Faris Sabbah led a discussion with the Board on the current Vision, Mission and Philosophy of the COE and then reviewed the Vision, Mission and Philosophy statements from a number of County Offices of Education throughout the state.

After some conversation, the Board decided that Policy Committee should look further into this subject, come up with ideas and bring them back to the Board to discuss further.

5.2 Local Control Accountability Plan (LCAP)

Mary Anne James, Associate Superintendent, Educational Services, presented to the Board a review and update on the Local Control and Accountability Plan and the key areas that Trustees should keep in mind when reviewing the LCAP for COE programs.

5.3 Role of Trustees Concerning District Fiscal Oversight

Jean Gardner, Senior Director, Fiscal Services provided to the Board a very detailed presentation on the role that Trustees play in regards to fiscal oversight.

Mrs. Gardner went over reporting deadlines, general responsibilities, the responsibilities of the County Superintendent versus the County Board of Education, COE budgets, Interim Reports, budget adoptions, AB1200 and the Pacheco Bill.

5.4 Role of Trustees Concerning Charter Petition/Review

Devon Lincoln, Partner, Lozano Smith, Attorneys at Law, gave the Board a very thorough presentation on the role of the County Board in considering a charter petition appeal.

Mrs. Lincoln reviewed the appeal process, the timelines associated with an appeal, the grounds for denying an appeal, actions by the board if the appeal is granted or denied, oversight obligations if the appeal is granted and the impacts on a school district that originally denied the charter petition.

6.0 ADJOURNMENT

Bruce Van Allen (President) adjourned the meeting at 12:38 p.m.

SUPERINTENDENT’S RECOMMENDATION FOR BOARD ACTION

SUBJECT:

Consent Agenda: Special Board Meeting Minutes, June 14, 2018

DEPARTMENT/PROGRAM:

Santa Cruz County Board of Education

ACTION REQUESTED:

Board Approval

PREVIOUS STAFF/BOARD ACTION:

None

BACKGROUND INFORMATION AND/OR STATEMENT OF NEED:

Consent Agenda items are recommended for approval as actions routine in nature and acted upon as one motion. Specific items may be removed for separate consideration.

FISCAL IMPLICATIONS:

None

CONTACT PERSON(S):

Michael Watkins, Superintendent
Jim Guss, Administrative Aide to the Superintendent

Santa Cruz County Board of Education
Santa Cruz County Office of Education
400 Encinal Street
Santa Cruz, CA 95060

Special Board Meeting
June 14, 2018
Time: 4:00 p.m.
Board Room

UNAPPROVED MINUTES

1.0 CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF QUORUM

Board Present

Bruce Van Allen (President)
Sue Roth (Vice-President)
Rose Filicetti
Sandra Nichols
Dana Sales
Abel Sanchez
Michael Watkins

Staff Present

Faris Sabbah
Mary Hart
Mary Anne James
Jim Guss

Absent

Jane Barr

2.0 PLEDGE OF ALLEGIANCE

Bruce Van Allen (President) led the Pledge of Allegiance.

3.0 APPROVAL OF AGENDA

It was M.S.C (Filicetti/Sanchez) to approve the Agenda.

Ayes:	Filicetti, Nichols, Roth, Sales, Van Allen, Sanchez
Nays:	None
Abstain:	None
Absent:	Barr

4.0 PUBLIC COMMENT

Superintendent Michael Watkins and Board President Bruce Van Allen recognized Deputy Superintendent Dr. Faris Sabbah as Superintendent-Elect for the Santa Cruz County Office of Education. Dr. Sabbah will take office on January 7, 2019.

5.0 CONSENT AGENDA

5.0.1 Minutes of Board Meeting held on May 17, 2018 (with typographical changes)

It was M.S.C. (Filicetti/Roth) to approve the Consent Agenda.

Ayes:	Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	Barr

6.0 CORRESPONDENCE

None.

7.0 PUBLIC HEARINGS, NEW BUSINESS AND ACTION ITEMS

7.1 Public Hearing: Local Control Accountability Plan - (LCAP)

The Board held a Public Hearing on the Local Control Accountability Plan (LCAP) which was presented by John Armstrong, Director, Alternative Education. The hearing was held to solicit recommendations and comments from members of the public regarding the specific actions and expenditures proposed by the LCAP of the Santa Cruz County Court and Community Schools.

7.2 Public Hearing: Local Control Accountability Plan (LCAP)

The Board held a Public Hearing on the Local Control Accountability Plan (LCAP) which was presented by Deputy Superintendent Faris Sabbah. The hearing was held to solicit recommendations and comments from members of the public regarding the specific actions and expenditures proposed by the LCAP of the Santa Cruz County Career Advancement Charter School.

7.3 Public Hearing: Santa Cruz County Office of Education 2018-2019 Budget

The Board held a Public Hearing on the 2018-2019 Santa Cruz County Office of Education Budget which was presented by Rebecca Olker, Manager, Internal Business Services. The hearing was held to solicit recommendations and comments from members of the public regarding the budget proposed by the Santa Cruz County Office of Education.

8.0 ADJOURNMENT

Bruce Van Allen (President) adjourned the meeting at 5:28 p.m.

SUPERINTENDENT'S RECOMMENDATION FOR BOARD ACTION

SUBJECT:

Consent Agenda: Regular Board Meeting Minutes, June 21, 2018

DEPARTMENT/PROGRAM:

Santa Cruz County Board of Education

ACTION REQUESTED:

Board Approval

PREVIOUS STAFF/BOARD ACTION:

None

BACKGROUND INFORMATION AND/OR STATEMENT OF NEED:

Consent Agenda items are recommended for approval as actions routine in nature and acted upon as one motion. Specific items may be removed for separate consideration.

FISCAL IMPLICATIONS:

None

CONTACT PERSON(S):

Michael Watkins, Superintendent
Jim Guss, Administrative Aide to the Superintendent

Santa Cruz County Board of Education
Santa Cruz County Office of Education
400 Encinal Street
Santa Cruz, CA 95060

Regular Board Meeting
June 21, 2018
Time: 4:00 p.m.
Board Room

UNAPPROVED MINUTES

1.0 CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF QUORUM

Board Present

Bruce Van Allen (President)
Sue Roth (Vice-President)
Jane Barr
Rose Filicetti
Sandra Nichols
Dana Sales
Abel Sanchez
Michael Watkins (Secretary)

Staff Present

Faris Sabbah
Mary Hart
Mary Anne James
Jim Guss

2.0 PLEDGE OF ALLEGIANCE

Bruce Van Allen (President) led the Pledge of Allegiance.

3.0 APPROVAL OF AGENDA

It was M.S.C (Filicetti/Sales) to approve the Agenda.

Ayes:	Barr, Filicetti, Nichols, Roth, Sales, Van Allen, Sanchez
Nays:	None
Abstain:	None
Absent:	None

4.0 PUBLIC COMMENT

Mr. Kevin Sved, CEO, Navigator Schools, came before the Board to officially appeal the denial by the Pajaro Valley Unified School District for Navigator Schools to open a charter school in Watsonville.

Kirsten Carr, Andrea Hernandez, Rita Castan, Alba Rivas and Lupita Chacon all spoke in support of Navigator Schools

Jennifer Holm, Ericks Celis, Sean Henry and Sarah Henne all spoke against Navigator Schools.

5.0 CONSENT AGENDA

5.0.1 Minutes of the Regular Board Meeting held on March 15, 2018

5.0.2 Routine Budget Revisions

It was M.S.C. (Filicetti/Barr) to approve the Consent Agenda item 5.0.1.

Ayes: Barr, Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen

Nays: None

Abstain: None

Absent: None

5.1 DEFERRED CONSENT ITEMS (if required)

5.0.2 Routine Budget Revisions

After a couple of questions from Trustee Barr, it was M.S.C. (Barr/Sales) to approve Consent Agenda item 5.0.2.

Ayes: Barr, Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen

Nays: None

Abstain: None

Absent: None

6.0 CORRESPONDENCE

Trustee Van Allen (President) announced that a few Board members received an invitation from the Farm Bureau concerning their upcoming annual meeting.

7.0 RECOGNITIONS

The Board recognized Ryan Beam from Scotts Valley High School and Eli Gilbert from Santa Cruz High School. These two students tied for first place at the 2018 Santa Cruz County Science Fair and competed at the International Science and Engineering Fair in Pittsburgh, Pennsylvania.

8.0 REPORTS, DISCUSSIONS AND PRESENTATIONS

8.1 Your Future is Our Business

The Board received a presentation from Your Future is Our Business's (YFIOB) Executive Director Mary Gaukel-Forster along with two YFIOB interns Malina Long and Eric Hernandez. YFIOB brings schools and businesses together to support students in discovering a fulfilling and successful career.

8.2 Distinguished School Award

Mary Anne James, Associate Superintendent, Educational Services, reported to the Board that Live Oak Elementary school was chosen as a California Distinguished School. The 2018 California Distinguished School Program recognized California elementary schools that made exceptional gains in implementing academic content and performance standards adopted by the State Board of Education.

8.3 Accountability and Differentiated Assistance

Mary Anne James, Associate Superintendent, Educational Services, gave a presentation to the Board regarding the Accountability and Differentiated Assistance Program. Mrs. James explained that Differentiated Assistance means that a district is eligible for technical assistance if it “fails to improve pupil achievement across more than one state priority for one or more pupil subgroups”. Four districts in Santa Cruz County fall under Differentiated Assistance: Soquel Unified Elementary School District, Pajaro Valley Unified School District, Santa Cruz City School District and San Lorenzo Valley Unified School District. Mrs. James explained the three levels of support available to schools through this program: Support for all LEAs and Schools, Differentiated Assistance and Intensive Intervention.

9.0 PUBLIC HEARINGS, NEW BUSINESS AND ACTION ITEMS

9.1 Adopt Local Control Accountability Plan (LCAP)

Following a Public Hearing held on June 14, 2018, the Board was asked to adopt the Local Control Accountability Plan for the Santa Cruz County Court and Community Schools.

It was M.S.C (Filicetti/Roth) to approve the LCAP for the Santa Cruz County Court and Community Schools.

Ayes:	Barr, Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	None

9.2 Adopt Local Control Accountability Plan (LCAP)

Following a Public Hearing held on June 14, 2018, the Board was asked to adopt the Local Control Accountability Plan for the Santa Cruz County Career Advancement Charter School.

It was M.S.C (Sales/Filicetti) to approve the LCAP for the Santa Cruz County Career Advancement Charter School.

Ayes:	Barr, Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	None

9.3 Adopt Santa Cruz County Office of Education 2018-2019 Budget

Following a Public Hearing held on June 14, 2018, the Board was asked to adopt the Santa Cruz County Office of Education’s 2018-2019 Budget.

It was M.S.C (Barr/Filicetti) to approve the Santa Cruz County Office of Education’s 2018-2019 Budget.

Ayes: Barr, Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays: None
Abstain: None
Absent: None

9.4 Adopt Resolution #18-08, Use of Proposition 30 and Proposition 55 Education Protection Act Funds

The Board was asked to adopt Resolution #18-08, to approve the usage of funds made available from Proposition 30 and Proposition 55 for educational expenditures within the County Office of Education's budget.

It was M.S.C (Sales/Nichols) to approve Resolution #18-08, Use of Proposition 30 and Proposition 55 Education Protection Act Funds.

Ayes: Barr, Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays: None
Abstain: None
Absent: None

9.5 Public Disclosure: Tentative Agreement between the Santa Cruz County Superintendent of Schools and the Santa Cruz Education Association

Mary Hart, Deputy Superintendent, Business Services, disclosed to the Board, in accordance with Government Code Section 3547.5, that the Santa Cruz County Superintendent of Schools and the Santa Cruz Education Association had entered into a tentative agreement for three years.

9.6 Public Disclosure: Tentative Agreement between the Santa Cruz County Superintendent of Schools and the California School Employees Association, Chapter 484

Mary Hart, Deputy Superintendent, Business Services, disclosed to the Board, in accordance with Government Code Section 3547.5, that the Santa Cruz County Superintendent of Schools and the California School Employees Association, Chapter 484, had entered into a tentative agreement for two years.

Trustee Barr departed from the meeting at 5:56 p.m.

9.7 Approve Consolidated Application 2018-2019

John Rice, Senior Director, Alternative Education, asked that the Board approve the Consolidated Application for 2018-2019.

It was M.S.C (Filicetti/Roth) to approve the Consolidated Application for 2018-2019.

Ayes: Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays: None
Abstain: None
Absent: Barr

9.8 Adopt Resolution #18-09, Calling for the November 6, 2018 Election of Trustees of the Santa Cruz County Board of Education

The Board was requested (per the Santa Cruz County Clerk) to adopt Resolution #18-09, calling for the November 6, 2018 Election of Trustees of the Santa Cruz County Board of Education. Four Trustee seats are up for election on November 6, 2018 (Trustee Area 1, Trustee Area 2, Trustee Area 4 and Trustee Area 7).

It was M.S.C. (Nichols/Sales) to adopt Resolution #18-09, calling for the November 6, 2018 Election of Trustees of the Santa Cruz County Board of Education.

Ayes:	Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	Barr

9.9 Countywide Plan for Expelled Students

John Rice, Senior Director, Alternative Education requested that the Board approve the Countywide Plan for Expelled Students. This plan provides educational services to all expelled students in the County and is submitted to the State Superintendent of Public Instruction per Education Code 48926.

It was M.S.C. (Filicetti/Roth) to adopt the Countywide Plan for Expelled Students.

Ayes:	Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	Barr

9.10 First Reading: Board Policies (BP)

The Board was presented with the following three Policies for a first reading and possible adoption:

BP 5145.13	Response to Immigration Enforcement
BP 3100	Budget Adoption and Revision
BP 3320	Claims and Actions Against the County Office of Education

It was M.S.C. (Filicetti/Sanchez) to adopt the three Policies as presented.

Ayes:	Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	Barr

9.11 Second Reading: Board Policies (BP)

The Policy Committee brought back to the Board the following five policies for a second reading and possible adoption:

BP 3270	Sale or Disposal of Books, Equipment and Supplies
BP 3280	Sale or Lease of District-Owned Real Property
BP 3460	Financial Reports and Accountability
BP 3530	Risk Management-Insurance
BP 3600	Consultants

It was M.S.C. (Filicetti/Nichols) to adopt the five Board Policies as proposed by the Policy Committee.

Ayes:	Filicetti, Nichols, Roth, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	Barr

10.0 UNFINISHED BUSINESS

None.

11.0 SUPERINTENDENT REPORT

The Superintendent did not have a report ready for this reporting period. It will be included in the July report.

12.0 TRUSTEE REPORTS

Trustee Van Allen did not have a report.

Trustee Roth advised the Board that she attended a recent San Lorenzo Valley Unified School District meeting.

Trustee Nichols reported to the Board that she attended an Alternative Education Graduation.

Trustee Sales did not have a report.

Trustee Sanchez stated to the Board that he attended a graduation at Sequoia School and also worked during the recent election on June 5, 2018.

Trustee Filicetti advised the Board that she had a meeting with Cabrillo College President Dr. Matt Westein and also a meeting with the newly appointed city manager of Watsonville, Mr. Matt Huffaker. Trustee Filicetti attended the Capitol Advisors May Revise meeting here at the COE and attended the final Panetta Lecture Series presentation on “Technology and the American Dream – Impact of Artificial Intelligence, Robots and Cyber”. Trustee Filicetti also attended the Board Retreat, the 20th anniversary celebration of Tierra Pacifica Charter School in Live Oak and served as a clerk for the primary election on June 5, 2018. Trustee Filicetti also had meetings with Geraldine Brady, Dean of CTE and Workforce Development at Cabrillo College and with Cynthia Holmsky, Director, Bright Futures Education Partnership at California State University Monterey Bay. Trustee Filicetti also attended three Alternative Education graduations, attend the Special Board meeting on June 14, 2018 and attended the retirement party for Mary Anne James.

13.0 AD HOC COMMITTEE REPORTS/ACTIONS

None

14.0 ADDITIONS, IF ANY, TO FUTURE BOARD AGENDA ITEMS

None.

15.0 SCHEDULE OF MEETINGS AND COMING EVENTS

June 28, 2018 9:00 – 10:30 a.m.	Capitol Advisors Budget Perspectives Workshop-Budget Act 400 Encinal Street, Santa Cruz, CA 95060
July 18, 2018 1:00 – 2:30 p.m.	Senator Bill Monning K-12 Education Focus Group Meeting 400 Encinal Street, Santa Cruz, CA 95060
July 19, 2018 4:00 p.m.	Regular Meeting of the County Board of Education 400 Encinal Street, Santa Cruz, CA 95060
August 16, 2018 4:00 p.m.	Regular Meeting of the County Board of Education 400 Encinal Street, Santa Cruz, CA 95060
August 20, 2018 8:00 a.m.	SCCOE Employee Orientation Meeting 400 Encinal Street, Santa Cruz, CA 95060

16.0 ADJOURNMENT

Bruce Van Allen (President) adjourned the meeting at 6:32 p.m.

SUPERINTENDENT’S RECOMMENDATION FOR BOARD ACTION

SUBJECT:

Gifts and Donations

DEPARTMENT/PROGRAM:

Santa Cruz County Board of Education

ACTION REQUESTED:

Accept gifts and donations as follows:

<u>Program</u>	<u>Donor</u>	<u>Value</u>
Law Day	Jonathan & Jo Ann Allen	\$30.00

PREVIOUS STAFF/BOARD ACTION:

None. An acknowledgement letter will be sent to the donor following Board Action.

BACKGROUND INFORMATION AND/OR STATEMENT OF NEED:

County Board of Education Policy P-3280, requires that all gifts and donations received by programs conducted by the County Superintendent of Schools be accepted by the County Board of Education.

FISCAL IMPLICATIONS:

Gifts/Donations received will be utilized by the programs to which they were donated.

CONTACT PERSON(S):

Faris Sabbah, Deputy Superintendent

One Vision



One Voice



Santa Cruz County

Early Care, Education and After-School Care Master Plan

2018 - 2023

TABLE OF CONTENTS



Members and Acknowledgements	1
Mission and Purpose	2
Introduction	3
Needs Assessment	4 - 5
Focus Areas:	
1. Accessibility and Affordability	6 - 9
2. Quality	10 - 13
3. Sustainability	14 - 17
Call to Action	18
Endnotes	19



The Santa Cruz County Board of Supervisors and the County Superintendent of Schools appoint members of the Childhood Advisory Council.

The Needs Assessment section is developed with support from Applied Survey Research.

CHILDHOOD ADVISORY COUNCIL MEMBERS AND ACKNOWLEDGEMENTS

The Childhood Advisory Council extends gratitude to the many partner agencies that contributed to the 2018-2023 Early Care, Education and After-school Master Plan. In its role as the united voice for early care, education and after-school programs in Santa Cruz County, the needs of children and their families have been identified, and a plan to address these needs has been developed, for the community to support.

Special acknowledgement is extended to the CAC Master Plan Subcommittee:

Emili Balli
Vicki Boriack
Yvette Brooks
Larry Drury
Lorena Gonzales
Barbara Griffin
Elaine Henning
Lisa Hindman Holbert
Mary Anne James
Leticia Mendoza
Sita Moon
Tricia Pastor Cross
Jude Rose
Jane Weed Pomerantz
Jerri Winner
Nicole Young

Master Plan Co-Authors:

Shebreh Kalantari Johnson
Diane Munoz
Martine Watkins

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Paula Mahoney/Legacy Communications

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Photos Courtesy:

Tricia Pastor Cross
Lisa Hindman Holbert
Shebreh Kalantari Johnson
Paula Mahoney
Diane Munoz
Jude Rose
Martine Watkins



Co-Chairs

Larry Drury – Go Kids Inc.
Barbara Griffin – Campus Kids Connections

General Membership

Sara Bella	Discovery Preschool
Rebecca Bogdan	SCCOE School Nurse
Vicki Boriack	First 5 Santa Cruz County
Yvette Brooks	SCCOE North County - SELPA
Maria G. Cortez	PVUSD Migrant and Seasonal Head Start
Irene Freiberg	First 5 Santa Cruz County
Wilma Gold	Pacific Oaks College
Lorena Gonzalez	Encompass Head Start
Karen Hamman	PVUSD Child Development Programs
Elaine Henning	Santa Cruz County Parents' Association
Patrice Keet	Santa Cruz County Museum of Discovery
Leticia Mendoza	YWCA of Watsonville
Sita Moon	Child Development Resource Center
Rosario Navarro	Central CA Migrant Head Start Program
Tricia Pastor Cross	Cabrillo College
Alison Pepper	Stanford University, School of Medicine
Elizabeth Root	UCSC Early Education Services
Jude Rose	Court Appointed Special Advocates
Hendrika Sheldon	Happy Acres Family Child Care
Trevor Walker	Campbell Union School District
Martine Watkins	Santa Cruz County Office of Education
Jane Weed Pomerantz	Positive Discipline Community Resources
Jerri Winner	Encompass Head Start
Nicole Young	Optimal Solutions Consulting

CHILDHOOD ADVISORY COUNCIL MISSION AND PURPOSE

“These are all of our children; we will all profit by, or pay for, whatever they become.” - James Baldwin

The Santa Cruz County Childhood Advisory Council (CAC) is a clear and consistent voice for the early care and education of our children (including birth-13). Our ongoing message is designed to shape public policy so that the needs of young children come first. Our role as a council is to make the case that providing safe and nurturing early learning environments for children from birth through age 13, is critical to the overall health of our community. Based on solid data, as well as our collective experience as early care educators, we want the public and policy-makers at all levels to know what we know - **that investing in the early care and education of our children yields life-long benefits.**



Our **mission** is to present a unified voice for an early care and education system that meets the needs of all children and families in Santa Cruz County.

Our **vision** is that every child in Santa Cruz County has access to quality affordable early care, education and after-school programs.

Our **strategies** for achieving this vision are deeply rooted in decades of neuroscience and economic research that prove that rich experiences in a child’s earliest years ensure healthy brain development, prepare children for school, and can help close the education achievement gap.

Appointed by the County Board of Supervisors and the County Superintendent of Schools, the Local Planning Council’s (LPC) purpose, is to ensure that there is relevant input on federal and state resources apportioned to counties. The Santa Cruz County Childhood Advisory Council (CAC) members are comprised of parents, community members, educators and early care and education professionals. The Council convenes to assess trends in early care, education and after-school needs, set local priorities for the use of state and federal child care funds, advocate on behalf of children and the early care education profession, and influence policy decisions regarding quality early care, education and after-school programs.



INTRODUCTION

“Educating the mind without educating the heart is no education at all.” - Aristotle



Every child deserves to be happy, healthy, and have equal opportunities to thrive and reach their full potential. Yet not all children are provided the chance to build a strong foundation for lifelong health and well-being. Lack of access to affordable high-quality early care and education for many of our families, in particular low-and middle-income families, means that our children are entering the school system with significant readiness gaps, contributing to achievement gaps.

Systemic inequities limit children’s optimal development and learning. Scientists and economists agree that investing early produces the greatest benefits to children, families and society, and improves life outcomes related to health, education, employment, and social behaviors. Investing early will positively impact public safety and community well-being. **What is often socially fair and just, is also economically efficient.**

The Center for the Study of Child Care Employment’s report, *Transforming the Financing of Early Care and Education*, acknowledges that the current system is “neither sustainable nor adequate to provide the quality of care and learning that children and families need — a shortfall that further perpetuates and drives inequality.”¹

Our current cultural norm of placing a child’s early development and after-school care as solely the concern of individual families is antiquated.

There is an urgent need to shift to a new cultural norm of collective responsibility.

This five-year master plan builds on previous plans and outlines the goals, objectives and action strategies focused around **accessible and affordable care, quality care, and sustainable systems and workforce**. These strategies will generate lasting results to move us towards wellbeing for all children and a prosperous community.

The Childhood Advisory Council is willing to disrupt the status quo and engage in open discourse to achieve these results.

We invite each of you to join us in advancing our future generations - the future of humankind.



Needs Assessment

Access and Affordability, Quality, and Sustainability

County Profile²

29,935
CHILDREN IN
SANTA CRUZ COUNTY

😊 = 1,000 children under age 10

<3 years **8,850**

3-4 years **6,099**

5-9 years **14,986**



5,987

OF THOSE CHILDREN
ARE IN POVERTY
**AND RELY ON
INCOME ASSISTANCE**

or about

1 in 5 children



ETHNICITY

Hispanic/Latino **54%**

White **38%**

Multiracial **4%**

Asian American **2%**

African American/
Black **<1%**

American Indian/
Alaska Native **<1%**

Native Hawaiian/
Pacific Islander **<1%**

The cost of living for low and middle-income families is very high.



Family households earning the county median income need to spend **41%** of their income on rent to afford a median cost 2-Bed apartment³

At 30%, Santa Cruz County has the highest child poverty rate in California when adjusted for the cost of living and safety-net program benefits.⁴

ADJUSTED STATEWIDE POVERTY RATE: 23%

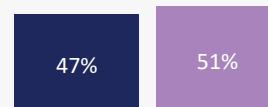
Most 3rd Graders are not meeting state standards for English/ Language Arts and Math.⁵

Economically disadvantaged students are half as likely as non-disadvantaged students to meet the standards.

■ % Met English/Language Arts Standard ■ % Met Mathematics Standard



All



Not Economically Disadvantaged



Economically Disadvantaged



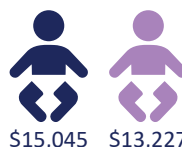
Focus Area 1: Child Care Affordability and Access

Licensed Child Care Centers in Santa Cruz County cost \$150 more per month than the state average.⁶

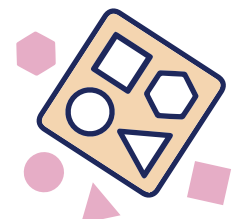
In 2015, Santa Cruz County exceeded statewide average annual enrollment costs for both Infant/Toddlers and Preschoolers at licensed child care centers by nearly \$2,000.

■ Santa Cruz County ■ California

Infant/
Toddler

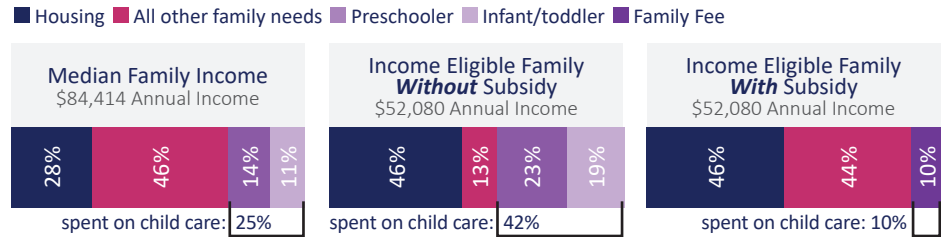


Preschool
Age

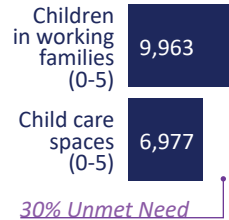


Nearly half of all Santa Cruz County children under age 5 qualify for state subsidized child care.⁷

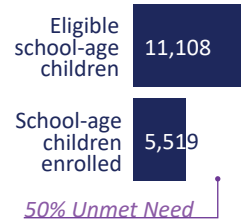
HOW SUBSIDIES AFFECT CHILD CARE COSTS FOR LOW-INCOME FAMILIES, BY CHILD CARE AND FAMILY BUDGETS⁸



There are not enough child care spaces available for children in working families.⁹



Many eligible school-age children are not participating in subsidized after-school programs.¹⁰



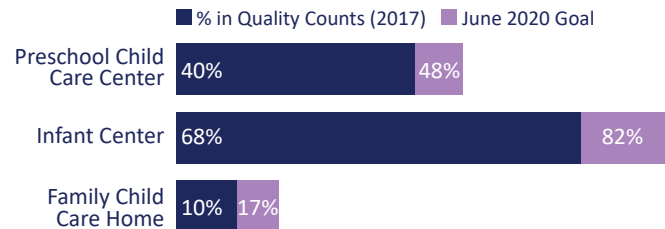
Focus Area 2: Quality

The quality standard for child care must be set high.

Research has shown that children who participate in high quality early learning and care programs are more likely to succeed in school and acquire stable employment, and are less likely to need remedial education or to commit crimes.¹¹

Santa Cruz County is implementing a quality measurement system, Quality Counts Santa Cruz County, for child care providers, and has set goals for increasing participation in that system by 2020.

Since 2015, participation in the quality improvement system has grown 20% (from 60 to 72 providers), and many providers have already improved their quality ratings.

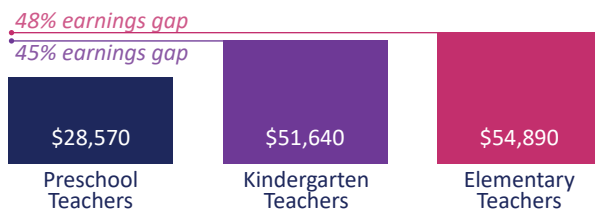


Focus Area 3: Sustainability

Greater investments in the child care workforce are necessary to sustain an accessible and high-quality child care system.

The child care field struggles to attract and retain highly qualified professionals. Preschool teachers and other child care professionals earn significantly less than other educators, some little more than minimum wage. The high cost of living in Santa Cruz County means our community faces even greater challenges in developing and compensating a highly trained and sustainable early child care workforce.

NATIONAL MEDIAN ANNUAL WAGE¹²



AVERAGE NATION-WIDE EARNINGS¹³



A typical child care worker in California spends 51% of their earnings to put their own child in infant care. Nationwide, the families of child care workers are more than twice as likely to live in poverty as other workers' families (15% and 7%, respectively).¹⁴

Additional information can be found in the Santa Cruz County Early Care and Education Needs Assessment 2016-2021, found online at: http://www.childcareplanning.org/documents/santa_cruz_county_early_care_education_needs_assessment_2016-2021.pdf

Focus Area 1:

Accessibility and Affordability



“If we expect our children to thrive at our colleges and universities, and succeed in our economy once they graduate – first we must make quality, affordable early childhood education accessible to all.” – Kirsten Gillibrand

FOCUS AREA 1: ACCESSIBILITY AND AFFORDABILITY

Our Commitment to Accessibility and Affordability:

A core value of the Santa Cruz Childhood Advisory Council is that all children and families have access to quality, affordable early care, education and after-school programs that reflect their socioeconomic, cultural and geographic needs.



Understanding the Challenges of Accessibility and Affordability:

The social divide is expanding and economic difficulties impact families across the full spectrum of the population. U.S. residents work more hours, the middle class is shrinking, social mobility is declining, and more children are born into poverty. In fact, in Santa Cruz County, nearly **one in five children under the age of five is living in extreme poverty**, and only 50% of all families report being able to afford basic living expenses.¹⁶

The cost of child care is often more expensive than rent. This matters. In 2017, the Demographia International Housing Affordability released a staggering report, registering Santa Cruz County as **the fourth most expensive places to live in the world!**¹⁷

Decreased household incomes coupled with the high cost of living in Santa Cruz County, continues to negatively impact the ability of working and low-income earning families to access quality early care and after-school programs. Additionally, Santa Cruz County does **not have enough facility space** to accommodate the number of children who need early and after-school care. These compounding factors significantly impact the health and well-being of our children, families and community.

Opportunities for Accessibility and Affordability:

The Childhood Advisory Council provides data and expertise to **inform local policymakers, so they can address the need** for more adequate funding for early care and education. Santa Cruz County will impact the accessibility and affordability of early care, education and after-school programs by developing and expanding local policy initiatives that overcome federal and state barriers.

The Childhood Advisory Council will also collaborate with stakeholders to develop a centralized system and continuum of care so that families can access up-to-date, current early and after-school care available to them, as well as other supportive resources. **Each strategy will be grounded in the Childhood Advisory Council's principle of equity – recognizing all children deserve to happy, healthy, and provided opportunities to reach their full potential.**



FOCUS AREA 1: ACCESSIBILITY AND AFFORDABILITY - IMPLEMENTATION PLAN

Goal Statement 1:

Families of all socioeconomic levels have access to integrated, equitable care, education and after-school opportunities for children birth to 13.

Community Value	Objective	Action Strategies	Leads and Partners
EQUITABLE ACCESS TO AFFORDABLE EARLY CARE, EDUCATION AND AFTER-SCHOOL PROGRAMS	1a. Advance a local policy to surmount state imposed regulatory barriers to county's achievement of desired outcomes for early care, education and after-school programs.	<ul style="list-style-type: none"> ▪ Develop and implement individualized child care subsidy pilot plans, starting with State Assembly Bill 300 - Child Care and Development services: individualized county child care subsidy plans. ▪ Create a countywide subsidy funding matrix of all state and federal programs. 	<ul style="list-style-type: none"> * Childhood Advisory Council * Community Partners * Early Care, Education and After-School Partners * Monterey County * San Benito County * Santa Clara County * Santa Cruz County Office of Education
	1b. Increase early care, education and after-school facilities and family child care homes that are safe, quality learning environments.	<ul style="list-style-type: none"> ▪ Pursue the expansion of diverse facility funding support for local and state programs, including strategies for partnering with businesses to support facilities' needs. ▪ Advocate for facility funding, including policies imposing developer fees on new development to go to licensed early and after-school care facilities and programs. 	<ul style="list-style-type: none"> * Childhood Advisory Council * Child Development Resource Center * Community Partners * Early Care, Education and After-School Partners * Local Partners in trades: developers, community banks, and volunteers * Untraditional Partners to support facility locations: senior centers, private schools, churches
	1c. Develop a centralized system to improve coordination, communication and linkages that will provide a continuum of early care, education and after-school support for all families.	<ul style="list-style-type: none"> ▪ Produce a system of care single point of entry service model/framework and a centralized eligibility list, so that families can access current early and after-school care availability and other resources. 	<ul style="list-style-type: none"> * Bay Area Coordinators Association * Childhood Advisory Council * Community Partners * Santa Cruz County Human Services Department * Santa Cruz County Office of Education * Thrive by Three Advisory Council

FOCUS AREA 1: ACCESSIBILITY AND AFFORDABILITY - INDICATORS OF SUCCESS

INCREASING AFFORDABILITY

- ▶ **Decrease the percentage of income** families dedicate to early care, education and after-school programs aiming to make it less than 10% of family income. *(Source: California Child Care Portfolio)*

INCREASING AVAILABILITY

- ▶ **Decrease** the number of children in the county experiencing **shortage of space** available. *(Source: Childhood Advisory Council Needs Assessment)*
- ▶ **Increase the number of spaces** in early and after-school care centers including family-based programs. *(Source: Childhood Advisory Council Needs Assessment)*

INCREASING UTILIZATION

- ▶ **Increase the number of families aware of their qualifying circumstances** and access to available early and after-school care. *(Sources: Child Development Resource and Referral Directory; Childhood Advisory Council Records; California Childcare Portfolio)*



"Without the Cabrillo Children's Center I wouldn't be able to attend school and finish my education. Having a safe, and nurturing place for my child while I attend school is a godsend for families like ours who are trying to get a good education in this really tough economy."

- Cabrillo College Student

"The COE's trainings that I've attended this year are so useful in my every day work with children. The information is really helping me feel better prepared for classroom challenges that have been hard for me to manage. Since these trainings, I've been able to share the tools and information with families, so we can work together to help their children learn and feel more successful in school."

- Preschool Teacher



Focus Area 2:

Quality



*"Every day, in a 100 small ways, our children ask, 'Do you hear me? Do you see me? Do I matter?'
Their behavior often reflects our response." - L.R. Knost*

FOCUS AREA 2: QUALITY

Our Commitment to Quality:

A common value families share is a desire to see their children happy, healthy, and thriving – developing to reach their fullest potential.

Our responsibility, and our collective best interest, is to commit to making that possible for everybody's children by providing quality early care, education and after-school programs. The Childhood Advisory Council is committed to supporting quality programs that are safe and engaging learning environments for children.



Understanding the Challenges of Quality:

Families have too few early and after-school care options, coupled often with a limited understanding of what quality care is. Most agree in a general sense that children must get their basic needs met while in care - they are fed, safe, and clean. Although some validated tools are available, determining providers' abilities in attending to a child's emotional and developmental needs, as well as engagement in age-appropriate learning activities, remains difficult to define.

The California Department of Education, Early Education and Support Division and the National Association for Education of Young Children are leading organizations in the field - confirming **common characteristics of quality care that translate into markedly better developmental results for children.**

These organizations recognize quality programs as:

- Having **appropriate child/adult ratios**,
- Having positive relationships amongst caregivers, teachers, children, and the community,
- Fostering **meaningful family engagement**,
- Having educational curriculum and materials to meet all children's developmental and cultural learning styles,
- Implementing **good management and effective leadership**,
- Utilizing assessments to monitor children's learning and developmental progress,
- Building **staff competence** through mentoring, trainings and support.

The county has many high-quality programs. However, high-quality early and after-school education remains out of reach for many low-and middle-income families. These families often do not meet the eligibility requirement for high-quality subsidized programs and therefore struggle to access affordable quality care and education.

Opportunities for Quality:

Research shows that quality early care and education programs help prepare children to succeed in kindergarten and beyond. Long-term studies demonstrate that children who attend high-quality early learning programs have advanced social skills and self-regulation, finer math and reading skills, and are more likely to complete high school and go on to college. **Ninety percent of a child's brain develops in the first 5 years. It is important that young children have the best possible environment for learning and development.**

In response, Santa Cruz County has built a local Quality Rating and Improvement System (QRIS) as one strategy to assess and improve the quality of care among all participating providers, called Quality Counts Santa Cruz County. Quality Counts supports, rates and rewards early care and education in Santa Cruz County.

FOCUS AREA 2: QUALITY - IMPLEMENTATION PLAN

Goal Statement 2:



Every child thrives socially, emotionally, and academically because they receive quality early care, education and/or after-school programs

Community Value	Objective	Action Strategies	Leads and Partners
EVERY CHILD IN SANTA CRUZ COUNTY IS THRIVING	2a. Increase the number of providers engaged in quality improvement systems .	<ul style="list-style-type: none"> Childhood Advisory Council will provide quality professional development opportunities, extend professional development services to nonsubsidized providers, and explore the development of a countywide training calendar. Increase participation in Quality Counts Santa Cruz County, the local Quality Rating and Improvement System (QRIS). Develop a public awareness campaign for parents on the importance of quality standards. Continue to participate in countywide efforts in developing trauma informed organizations, services, and policies. Partner with early care, education, and after-school programs' stakeholders to identify the diverse federal, state, and local evidence-based tools that measure quality programs to be implemented as a measurement of quality in our community. 	<ul style="list-style-type: none"> * Cabrillo College Early Childhood Education Program * Childhood Advisory Council * Child Development Resource Center * Early Care, Education and After-School Partners * Family Child Care Providers * First 5 Santa Cruz County * Santa Cruz County Mental Health, and Human Services Departments * Santa Cruz County Office of Education * Santa Cruz County Quality Counts Consortium * Trauma Informed System - Santa Cruz County
	2b. Increase kindergarten readiness countywide.	<ul style="list-style-type: none"> Identify and develop strategies to ensure continuity of learning as children transition from early care to K-12 systems. Partner with school districts to implement a universal kindergarten readiness assessment tool. Connect all early care and education providers to the K-12 system to increase communication and coordination between the two. 	<ul style="list-style-type: none"> * Childhood Advisory Council * Early Care, Education and After-School Partners * First 5 Santa Cruz County * Santa Cruz County Office of Education and School Districts * Santa Cruz County Quality Counts Consortium

FOCUS AREA 2: QUALITY - INDICATORS OF SUCCESS

INCREASING QUALITY

- ▶ **Increase the number of providers** participating in quality improvement frameworks including, but not limited to, Quality Counts Santa Cruz County, the local Quality Rating and Improvement System (QRIS). *(Source: Quality Counts annual reports and other sources explored through the Childhood Advisory Council)*
- ▶ **Increase quality** for early care and education sites participating in Quality Counts, as shown by improved ratings. *(Source: Quality Counts Santa Cruz County Annual reports)*
- ▶ **Improve the well-being** of incoming kindergartners through assessment of basic health indicators and social emotional indicators to be monitored and assessed through school district Local Control Accountability Plans (LCAP) process. *(Sources: Childhood Advisory Council Records and District Local Control Accountability Plans)*
- ▶ **Increase the number of children** ready for kindergarten. *(Source: Universal Kindergarten Readiness Assessment tool to be developed)*

"As Delaine Eastin says, 'our budgets are moral documents and they reflect our values.' Our community spends less than one half of one percent on children 0-3. When you look at the science of brain development, that is not adequate. Zach Friend and I started the Thrive by Three program because we have to start investing early, and we have to start investing right. We need to grow this program and other programs that help reduce trauma and stress and offer support to moms and their babies so that we give them an equal opportunity in life. With your support and with your pressure and with you asking us to do more, we will be able to do more. We need your help."

- Santa Cruz County Supervisor, Ryan Coonerty

"As our cities and county governments begin to make child well-being a high priority in their budget processes, utilizing the Childhood Advisory Council's Master Plan for Early Care and Education as a compass, and bringing early educators into the conversation, would lay the groundwork for giving every child a stronger start in school. It's not too late."

- Michael C. Watkins – Santa Cruz County Superintendent of Schools



3

Focus Area 3: Sustainability



"It's not a 'nice to have' – it's a 'must have'. It's time we stop treating child care as a side issue, or a women's issue, and treat it like the national economic priority that it is for all of us." – President Obama

FOCUS AREA 3: SUSTAINABILITY

Our Commitment to Sustainability:

It's time to be bold and embrace our values, our commitment to equity and to assume our collective responsibility toward the health and well-being of all children in Santa Cruz County. The Santa Cruz County Childhood Advisory Council will unite policymakers, business leaders, and educators to shape private and public policy that invests in early care, education and after-school programs.

Understanding the Challenges of Sustainability:

Funding sources for early care, education and after-school programs are fragmented. Varying revenue sources and eligibility constraints result in **families bearing the burden of substantially covering the costs of care**. The need for policy makers to take action and invest in building an infrastructure of early care education and after-school care is imperative.

Nationally, according to the US Census Bureau, 51% percent of mothers with infants are in the labor force, yet there remains **inadequate supply of high-quality care** for infants and toddlers, particularly for families struggling economically to live in our community.¹⁸ In Santa Cruz County, in 2017-2018, 75% of infants and toddlers in low-income working families qualified for full-time subsidized child care but were not enrolled.¹⁹ Although this may partially reflect parent choice, it more likely reflects a family's difficulty in accessing quality programs. Moreover, inadequate paid parental leave policies drive families to heavily rely on early and after-school care in their communities.

Children have little to no political power and families don't have the time, resources, and tools to assume the lobbying power to drive the early care and education policy agenda. Many policymakers and business leaders are unaccustomed to the societal relevance and impact of quality early care, education and after-school programs. **Experts agree that investing in high-quality early childhood development yields high annual rates of return and produces long-term societal rewards.** According to the work of James Heckman, Nobel Laureate, and many other economists, investing in high-quality early childhood development programs for disadvantaged children can deliver a 13% annual return on investment, improving personal and social gains.²⁰ Although there is extensive information substantiating the value of investing in early care and education, **public policy has yet to align with the science and economics of investing in early childhood.**

Opportunities for Sustainability:

To reach quality, accessible and affordable care, education and after-school programs that meet the needs of all families, and afford Santa Cruz County's youngest children the opportunity for the best possible start in life, will take longstanding dedication, political will and leadership. **A unified system of public and private resources will be essential to the creation of a sustainable infrastructure of care.**

In order to provide sustainable quality care, education and after-school programs, communities **need a qualified workforce that is well-compensated, and supported through ongoing professional development opportunities.** Sustainability requires creating a strong early care, education and after-school programs workforce pathway that attracts qualified providers entering the field. Sustainability further requires Santa Cruz County to address the wage gaps providers experience working and staying in the field long-term.



FOCUS AREA 3: SUSTAINABILITY – IMPLEMENTATION PLAN

Goal Statement 3:



There will be community and political commitment for sustained investment in high quality early care, education and after-school programs.

Community Value	Objective	Action Strategies	Leads and Partners
SANTA CRUZ COUNTY VALUES CHILDREN'S EARLY DEVELOPMENT AS FUNDAMENTAL TO OUR SHARED PROSPERITY	3a. Increase public and private investment in early care, education and after-school programs.	<ul style="list-style-type: none"> ▪ Build community awareness and political will in support of investing in early care, education and after-school programs through policy advocacy, advisory participation, community forums, marketing campaigns, and grassroots organizing. ▪ Develop economic impact report for Santa Cruz County early care, education and after-school programs. ▪ Generate more early care, education and after-school programs' revenue resources through strategies such as ballot measure, local children's funds, developer fees and support, and government set asides. ▪ Solicit private investments such as employer-funded child care. 	<ul style="list-style-type: none"> * Central Coast Early Childhood Policy Advocacy Network * Childhood Advisory Council * Early Care, Education and After-School Partners * Local, state, and federal decision makers * Business Partners * Funders – Government, Foundation, and Corporations
	3b. Increase the number of early care, education and after-school program professionals .	<ul style="list-style-type: none"> ▪ Work with school districts to include early care, education and after-school services within their local control accountability plans. ▪ Work with school districts, community college, and vocational training programs to develop and/or increase early care, education and after-school Career Pathway Programs. ▪ Participate and engage in appropriate workforce development efforts to address shortage of early care, education and after-school program professionals. ▪ Support emerging family providers with licensing permit and workforce registry. 	<ul style="list-style-type: none"> * Central Coast Early Childhood Policy Advocacy Network * Childhood Advisory Council * Child Development Resource Center * Santa Cruz County School Districts * Cabrillo College * Human Services Department Workforce Development * Workforce Investment Board
	3c. Increase the number of early care, education and after-school professional providers earning a living wage .	<ul style="list-style-type: none"> ▪ Advance a 'Worthy Wage' Campaign (use Workforce Study by Center for the Study of Child Care Employment-to be published in 2019). ▪ Develop a method to quantify wage disparities within the early care, education and after-school labor market. 	<ul style="list-style-type: none"> * Business Partners * Central Coast Early Childhood Policy Advocacy Network * Childhood Advisory Council * Local and State elected officials * State and local advocacy organizations * Human Services Department – Workforce Development * Workforce Investment Board

FOCUS AREA 3: SUSTAINABILITY – INDICATORS OF SUCCESS

INCREASED SUSTAINABILITY

- ▶ **Increase the wages** for early care, education and after-school professionals.
(Source: To be pursued by Childhood Advisory Council)
- ▶ **Increase the number** of early care, education and after-school professionals in the field.
(Source: To be pursued by Childhood Advisory Council)
- ▶ **Increase the retention** of early care, education and after-school professionals.
(Source: To be pursued by Childhood Advisory Council)
- ▶ **Increase the investment** in early care, education and after-school through ballot measures, government and/or children's fund, government set-asides.
(Source: Childhood Advisory Council Records)

"What's really important about these conversations that are going on in our community is that it raises awareness about the importance of this issue of taking better care of our children. I left the Raising of America Film series that we had in October really inspired. I realized, yes, there is something we can do even if we have limited dollars. We can't support all the child care needs in our county, but we could do something to help early childhood professionals get the word out and educate the rest of the public that doesn't really understand the complexity of this field, so they can advocate to our public officials."

- Christina Cuevas
Santa Cruz County Community Foundation

"Education is about social justice."

- Faris Sabbah, SC County Superintendent- Elect



CALL TO ACTION

“Live a life of bold and courageous action inspired by powerful dreams.” – Jonathan Lockwood Huie

We all must play a key role to shift from our current inadequate structure to a sustainable system that ensures that ALL of our children are thriving and that our community is prosperous.

HERE IS WHAT YOU CAN DO AS:

BUSINESS & PRIVATE SECTOR	Invest! Government cannot and will not be able to do it alone. Provide funding and resources , include facility space for on-site child care, paid parental leave and adopt family friendly workplace policies. Support the workforce through resource linkages and provider discounts.
COMMUNITY PROGRAMS	Stay informed! Work collaboratively with those in the early care, education and after-school field, non-profit community, education, and government. Contribute to being a united voice for early care, education and after-school programs.
EDUCATIONAL INSTITUTIONS	Align! Develop career pathways that support the growth and development of this field by working with partners such as the Workforce Investment Board and Cabrillo College. Provide opportunities for professional development of providers in the early care, education and after-school field and ways for them to connect with kindergarten teachers for successful child and family transitions into the school system.
FUNDERS	Join us! Support the plan by providing the resources needed for implementation strategies that generate systems changes, such as support for the development of a universal kindergarten readiness tool and an updated economic impact report. Prioritize funding early care and education and involve providers in conversations.
PARENTS & COMMUNITY MEMBERS	Be civically active! Educate the community on the needs and challenges by sharing your story with employers, community members, private sector leaders and most importantly, elected officials. Participate in any way that fits with your life, career, and capacity. Demand elected officials to respond to your needs and continually advocate for children focused policies and vote for elected officials that share your values.
POLICY MAKERS	Be bold! Use data driven policy decision-making. Hold yourself and colleagues accountable to your policy choices and inspire others to choose policies that support kids . Invest, Invest, Invest! Make tough tradeoffs and allocate scarce resources to early care, education and after-school programs.
PROVIDERS, PRACTITIONERS & TEACHERS	Inspire! Actively seek an action strategy from this Master Plan that you want to work toward and lead or join with others to work on it. Mentor and support the next generation of early care, education and after-school professionals.

ALL

Get Involved in the Childhood Advisory Council
by contacting:
Diane Munoz at 831-466-5822
or dmunoz@santacruzcoe.org

As the Santa Cruz County Childhood Advisory Council, we invite you to join us in advancing change for our future generation and for the future of humankind.

ENDNOTES

- 1 <https://nap.edu/catalog/24984/transforming-the-financing-of-early-care-and-education>
- 2 U.S. Census Bureau. (2016). 2012-2016 American Community Survey 5-Year Estimates. Note: Seventeen percent (17%) of families have incomes below the Federal Poverty Line while 22% of children under 18 rely on income assistance.
- 3 Rentcafe.com. (2018, May 2). Median Rent Data. Retrieved from: <https://www.rentcafe.com/average-rent-market-trends/us/ca/santa-cruz-county/santa-cruz>. U.S. Census Bureau. (2016). Median income for households with children under 18. American Community Survey 5-Year Estimates. Note: Graphic adopted from Apartment by elmars from the Noun Project.
- 4 Public Policy Institute of California. (2017, October). Child Poverty in California. Retrieved from: <http://www.ppic.org/publication/child-poverty-in-california/> Note: This rate is based on the California Poverty Measure (CPM), developed by the California Public Policy Institute and Stanford University. The CPM adjust the federal poverty rate of each county to account for the cost of living and the benefits of safety net programs including CalWORKS, CalFresh, and the Earned Income Tax Credit (EITC).
- 5 California Department of Education. (2017). Smarter Balanced Assessment Test Results. Note: Math graphic adopted from Math by Jevgeni Striganov and English/Language Arts graphic from Stanislav Levin, both from the Noun Project.
- 6 Santa Cruz County Needs Assessment, June 2016-2021. (2016). Note: Preschooler graphic adopted from Toddler by Gan Khoon Lay and building blocks graphic from Preschool by Made by Made, both from the Noun Project.
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- 8 California Child Care Resource and Referral Network. (2017). Portfolio. Retrieved from https://www.rrnetwork.org/2017_portfolio
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GROWING A STRONGER COMMUNITY – ONE CHILD AT A TIME



Raising Awareness, Building Bridges, Informing Public Policy

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

*Staff Report and Findings of Fact
Watsonville Prep School
Charter Petition*

Presented:
Board of Trustees Meeting
May 23, 2018

1. **INTRODUCTION**

The Charter Schools Act of 1992 permits school districts to grant charter petitions that authorize the operation of charter schools within their geographic boundaries. (Ed. Code, § 47600, et seq.)

A proponent may seek to establish a charter school within Pajaro Valley Unified School District ("District" or "PVUSD") by submitting a Petition to the District Governing Board ("Board"). The Board must grant a charter "if it is satisfied that granting the charter is consistent with sound educational practice." (Ed. Code, § 47605(b).) However, the Board may deny a petition for establishment of a charter school if it finds that the particular petition fails to meet enumerated statutory criteria, and the Board adopts written findings in support of its decision to deny the charter.

If authorized, charter schools "are part of the public school system," but "operate independently from the existing school district structure" subject to the oversight of the Board. (Ed. Code § 47615(a)(1) and 47601.) The Courts have made clear that charter schools are constitutionally permissible because they exist under the oversight of elected officials of public agencies, including the PVUSD Board. (*Wilson v. State Board of Education* (1999) 75 Cal.App.4th 1125 [holding that charter schools are legal by virtue of the fact that they are under the oversight of chartering authorities within the public school system defined by Article IX, Section 6]; aff'd in *Anderson Union High School District v. Shasta Secondary Home School* (2016) 4 Cal.App.5th 262 [referred hereinafter as "*Anderson*") Thus, it is the District's constitutional responsibility to ensure, prior to approving a charter school and during its term, that the charter school is sufficiently transparent and open to the level of oversight necessary to satisfy constitutional criteria.

2. **EXECUTIVE SUMMARY**

On March 28, 2018, the Pajaro Valley Unified School District ("District") received a charter petition ("Petition") from Navigator Schools, Inc., a California nonprofit public benefit corporation ("Petitioners"). The Petitioners propose the creation of Watsonville Prep School ("Charter School or WPS"), a charter school to serve 180 students in grade K through 2 in Year 1 (2019-20), and expanding to serve a total of 420 students in grades K through 8 by Year 2023-2024. (Petition, p. 12-13.)¹

At the beginning of the 2011-12 school year, Petitioners opened Gilroy Prep School, which served 476 students in grades K through 7 in the 2016-2017 school year. (CDE School Dashboard.) A second Navigator school, Hollister Prep School, opened in August 2013, which served approximately 361 students in grades K through 5 in the 2016-2017 school year. (CDE School Dashboard.) Petitioners point to Gilroy Prep School's "track record of achievement" as an indicator of their ability to successfully implement a similar program within Pajaro Valley Unified School District (Petition, p. 8.) However, in evaluating the suitability of the program proposed in the Petition, the District's Board of Trustees ("Board") are cautioned to bear in mind that there are significant differences between the communities served by existing Navigator Schools and the PVUSD community.

Notably, at the public hearing, held on April 25, 2018, the Petition received strong criticism from both the public and local educators. Several public comments were made expressing concern over Petitioner's ability to provide an educational program not already provided

¹ The Petition also indicates that the Charter will not offer transitional kindergarten unless "the charter authorizer so requires." (Petition, p. 12.)

within the District, the focus of efforts being placed outside of the school district, the use of staffing without representation rights and the current poor state of District facilities. Moreover, as described in detail below, District staff has identified a number of significant deficiencies in the Petition, including but not limited to: (1) deficiencies in the Charter School's proposed educational program; (2) deficiencies in its plans for educating English Language Learners, students with special needs, migrant students and foster students; and (3) omissions from the Charter School's operating budget and financial projections.

Based upon the Petition, its supporting documents, comments made at the public hearing and District staff's analysis of the Petition, the Board will decide whether to grant or deny the Petition at its May 23, 2018 meeting. If the District grants the Petition, it will exist and operate as proposed under the Board's oversight. Under Education Code section 47605, subdivision (j)(1), if the District denies the Petition, the Petitioners may appeal the denial to the Santa Cruz County Board of Education ("SCCBOE"). If the SCCBOE grants the Petition, the SCCBOE becomes the supervisory agency over the Charter School. If the SCCBOE denies the Petition, then Petitioners may appeal to the State Board of Education ("SBE"). (Ed. Code, § 47605, subd. (j)(1).)

A team of District staff members and legal counsel reviewed the Petition and provided input on this recommendation to the Superintendent relevant to their area of expertise. The following individuals comprised the staff review team ("Staff Team"):

- Dr. Michelle Rodriguez, Superintendent
- Joe Dominguez, Chief Business Officer
- Helen Bellonzi, Director, Finance
- Heather Gorman, Director, SELPA/Special Education
- Dr. Jean Gottlob, Director, Equity and English Language Learners
- Luis Medina, Director, Migrant Education
- Aracelli Mendez, Coordinator, Mathematics
- Katie Powell, Director, Transportation
- Pam Shanks, Director, Human Resources
- Suzanne Smith, Director, Student Services
- Frances Whitney, Coordinator, Accountability and Assessment

Additional support in legal review was provided by Dannis Woliver Kelley.

3. STANDARDS FOR REVIEW OF THE PETITION

Education Code section 47605, subdivision (b), sets forth the following guidelines for governing boards to consider in reviewing charter petitions:

- The chartering authority shall be guided by the intent of the Legislature that charter schools are, and should become, an integral part of the California educational system and that establishment of charter schools should be encouraged.
- A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice.
- The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific

to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) *The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.*
- (2) *The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.*
- (3) *The petition does not contain the number of signatures required by statute.*
- (4) *The petition does not contain an affirmation of each of the conditions required by statute.*
- (5) *The petition does not contain reasonably comprehensive descriptions of the required elements of a charter petition.*
- (6) *The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.*

In addition to the above considerations, the review and analysis of the Petition was also guided by the regulations promulgated by the SBE for the SBE's evaluation of charter petitions (Cal. Code Regs, tit. 5, §11967.5 et seq. ("Regulations").

4. **STAFF RECOMMENDATION - DENIAL**

The options before the Board with regard to the Petition are as follows: (1) Approve the Petition; (2) Approve the Petition subject to conditions; or (3) Deny the Petition.

Based upon a comprehensive review and analysis of the Petition by the Staff Team and legal counsel, **DENIAL** of the Petition is recommended.

The recommendation of denial is based on the following conclusions:

- *The Petitioners are demonstrably unlikely to successfully implement the program presented in the Petition [See Findings, Section 5(a)].*
- *The Petition does not contain the required number of signatures [See Findings, Section 5(b)].*
- *The Petition fails to provide a reasonably comprehensive description of all required elements of a charter petition [See Findings, Section 5(c)].*
- *The charter school presents an unsound educational program for the pupils to be enrolled in the charter school. [See Findings, Section 5(d)].*

FINDINGS IN SUPPORT OF DENIAL

- (a) **The Petitioners are demonstrably unlikely to implement the program described in the Petition. (Ed. Code, § 47605, subd. (b)(2).)**

The Staff Team recommends that the Petition be denied on the grounds that the Petitioners are demonstrably unlikely to successfully implement the program described in the Petition. (See Ed. Code, § 47605, subd. (b)(2); Cal. Code. Regs., tit. 5, § 11967.5.1(c).) For purposes of implementing Education Code section 47605(b)(2), the State Board of Education considers the following factors, among others, in determining whether charter petitioners are “demonstrably unlikely to successfully implement the program:”

(1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control.

. . .

(3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. (Cal. Code. Regs., tit. 5, § 11967.5.1(c).)

The Staff Team’s findings are based on the following factual determinations supporting this finding:

- (i) **The Petitioners have presented an unrealistic financial and operational plan for the proposed charter school.**

Petitioners are demonstrably unlikely to implement the program described in the Petition because the Petition’s proposed financial and operational plan is unrealistic.

- *Donation Revenue:* The Five Year Projection (“Budget”), contained in Appendix X of the Petition, identifies a \$150,000 donation to WPS in Year 0. However, the Budget notes do not indicate whether this “donation” has been made or if WPS simply has a goal to raise this substantial amount. Therefore, it is unclear whether WPS would meet its projected beginning balance for Year 1 given the uncertainty of obtaining \$150,000 in donations.
- *Revolving Loan:* The attachments to the Budget include reference to a \$250,000 revolving loan that would be paid in relatively equal amounts over a five year period. However, the repayment of this revolving loan is omitted from the Budget. Therefore, the expenses to be incurred by WPS is understated by approximately \$50,000 in Years 1 – 5.
- *Start-Up Costs:* There is no PCSGP or other Implementation Grant identified in the Budget. Thus, the District is left to speculate whether the “donation” and “revolving loan” will serve as the start-up funding for the school. The Budget is silent as to how the Charter School will address start-up costs and whether the funds on hand will be sufficient to get the school open and program off the ground.

- *Textbooks:* The amounts allocated in the Budget for textbooks (ranging from \$3,500 in Year 1 to \$9,000 in Year 5) is woefully inadequate to support the instruction of hundreds of children. Nor do the Petition or the Budget notes clarify how the Charter School will implement the curriculum with nominal textbooks supplies.
- *Facilities Rent:* The Budget does not include any expense amount for rental of facilities. While the Charter School indicates that it will either seek facilities from the District (Petition, p. 132.), or seek housing in an alternate location (4/24 PVUSD Public Hearing), the Budget fails to account for the costs associated with housing WPS. The District Staff Team has indicated that housing WPS will be extremely challenging in light of overwhelming demands on District space. Nor is the District required to use General Funds to pay for facilities to house WPS. Therefore, to the extent the Charter School intends to rent a private space to house its program as indicated during the April 25 public hearing, the Charter School is responsible for payment of rent. The failure of the Budget to include a line item for this significant expense renders the Budget inadequate to meet the needs of the proposed program.²
- *Transportation:* PVUSD services 20,400 students and approximately 17% (3500) of regular education students utilize District funded and operated home-to-school transportation each day on 32 routes. The Special Education population is 3003 students and approximately 12% (350 students) of these students utilize home-to-school transportation each day on 25 routes. In addition, transportation services are provided to District students in a variety of programs, including No Child Left Behind, Students in Transition, International Academy, as well as 24 after school program routes. The District's Transportation Department currently employs 61 drivers and conducts approximately 2000 field trips annually for sports, clubs, curricular, after school, and enrichment programs. The Petition fails to acknowledge the PVUSD community's heavy reliance on District-provided transportation services to access schools and related programs. Likewise, the Budget fails to account for any expenses related to busing or transportation services for prospective WPS students.
- *Professional Development:* The Petition contains several references to "coaching" and other professional development and training opportunities for WPS staff and teachers. (Petition, p. 41-43 and 64-67.) Appendix E consists of a Coaching Rubric that would also be utilized for development purposes. The Budget reflects annual expenditures for professional development, ranging from \$24,500 in Year 1 to \$54,000 in Year 5. However, given the lack of information as to how these funds will be expended for "professional development," the Staff Team is unable to determine whether these amounts are sufficient to adequately train, coach and develop teachers and staff in the manner described in the Petition and its accompanying documents.
- *District Oversight Fees:* The amounts identified as "3% oversight fees" for the District appear to exclude, without explanation, certain revenue. For example, in

² Petitioners also state that they will operate within the "Watsonville city limits." (Petition, p. 132.) However, as described more fully below, the Charter School must provide a preference to students who reside within the boundaries of the school district in which it operates. PVUSD operates in areas outside of the city of Watsonville. Therefore, Petitioners' target population of students within the City of Watsonville is inconsistent with the District's attendance boundaries, and serves to exclude students who do not reside within Watsonville.

Year 5, the total revenues of WPS are projected to be \$5,456,893. However, the 3% oversight fee reflected in the Budget for Year 5 is \$135,199, over \$28,000 short of the applicable 3% (\$163,707.) These inaccuracies reflect a lack of careful formulation of budget estimates.

- *CMO Management Fee:* The Budget includes an inordinately high management fee, totaling 14% of WPS's revenues annually. The Budget is silent as to what services the CMO will provide to justify an expenditure of this magnitude. This is particularly concerning given the fact the Budget includes separate line items for many administrative services that a CMO might typically perform, such as payroll services, planning and reproduction, staff and student recruiting, marketing materials, etc. Similarly, there are distinct line item expenses for administrative professional. Therefore, the District is left to speculate as to what the CMO fees cover and whether this is an appropriate expenditure of public funds.
- *Special Education Contract Services:* The Budget also identifies a significant expenditure for Special Education Contract Services. Yet, there is no indication in the notes and assumptions regarding what these services entail. Therefore, the District Staff Team is unable to ascertain whether this figure is sufficient or reasonable for the projected services.
- *Teacher-Student Ratio:* The Budget notes and assumptions suggest that the teacher-to-student ratio is in the range of 21:1 – 22:1. However, this ratio reflects an internal inconsistency in that the chart that sets forth the number of teacher per grade, per year, provides that there will be 2 teacher per grade. This suggests that the true teacher-to-student ratio is 30:1, a ratio that far exceeds the general standard for grades K-3 (24:1). Petitioners likewise conceded at the April 25 public hearing that the actual teacher-to-student ratio is in fact 30:1, again in contrast to what is set forth in the Petition itself. As such, the salaries allocated for teaching staff are inadequate to meet the Charter School's alleged ratio of 22:1 or the generally accepted standard of 24:1.
- *Custodial/Maintenance and Food Service Staff:* The Budget assumptions indicate that WPS is planning to employ 1 FTE in Year 1 for custodial, maintenance and food services. The FTE would expand to 2 by Year 5. The District Staff Team believes this modest FTE is insufficient to meet WPS's custodial, maintenance and food services needs for 180 – 410 students. As such, the Budget again fails to address critical services that support implementation of the proposed program.
- *ADA Percentage:* The Charter School identifies slightly conflicting, yet important, ADA percentage projections. In the Budget assumptions, WPS states that the ADA will be 96% of its enrollment. By contrast, in the Petition, the Charter School indicates that it will achieve 95% ADA. (Petition, at p. 13.) The ADA projections are critical to formulating the projected Budget. A single percent can make a big difference in terms of overall funding entitlement, cash flow and reserves.
- *Middle School Program Funding:* Although Petitioners do not anticipate expanding to grades 7 and 8 until presumably Years 6 and 7, if the Petition is approved and later renewed, the Petition presented here contemplates a full K-8 program. There is no indication in the Budget of how Petitioners would on-board and implement a full middle school program (as discussed more fully below). The Budget and the corresponding notes and assumptions, is silent on this critical element of the proposed educational program. As such, the District Staff Team is unable to assess,

even preliminarily, whether the proposed Budget is suitable to support a program for middle school students that is unique from that of elementary students.

- (ii) The Petitioners past history of operating other charter schools is not analogous to the proposed charter school.

The Petition boasts that Navigator Schools, the CMO that would manage WPS, has a “proven track record of success” because it has developed “an educational model that can be easily replicable and personalized to meet the needs of the community being served.” (Petition, p. 8.) However, this assertion is premised on Navigator Schools located in Gilroy and Hollister, communities that differ from that of Pajaro Valley. The Petition relies heavily on data and information gleaned from this other locations, while failing to specify current and relevant information regarding the student population of PVUSD. The District staff Team does not believe that educational models are “cookie cutter” and can simply be replicated from community to community.

As is set forth elsewhere in these Findings, the Petition fails to take into consideration the needs of students in PVUSD, including English Language Learners, migrant students, and foster youth and transportation demands. These omissions reflect a lack of understanding of the unique population of the PVUSD community. Nor does the program seek to reflect the racial, ethnic and socio-economic diversity that exists within the District. Instead, Petitioners would ask that the Board simply trust that a program that “works” in other communities would work for PVUSD students. However, as noted by Petitioners representatives at the April 25 public hearing, the poster schools – Gilroy Prep and Hollister Prep – have not been without their challenges. Indeed, Petitioners concede that mistakes were made in their growth plans that cause significant issues not only for the schools, but necessarily to the families and students who attended those schools. Based on the District Staff Team’s review, the Petition fails to adequately evaluate how the educational model it proposes will meet the needs and address the challenges of the PVUSD community.

- (b) **The Petition does not contain the required number of signatures. (Ed. Code § 47605, subd. (b)(3).)**

Education Code section 47605(a)(1) requires a charter petition to include the signatures of: (1) parents or guardians of half the number of students that are estimated to enroll in the charter school in the first year (Ed. Code §47605(a)(1)(A), or (2) half the number of teachers that will teach at the school in the first year (Ed. Code §47605 (a)(1)(B). Petitioners, inaccurately citing the requirement of Education Code section 47605(a)(1)(A) [which outlines signature requirements for students], claim that the signatures contained in Appendix A are from “seven meaningfully interested teachers, more than half of the seven teachers needed in year one of the charter.” (Petition, p. 3.) However, Petitioners’ assertion is fundamentally flawed in that six (6) of the seven (7) teachers that signed the Petition are teachers at Navigator’s two other charter schools, including 4 teachers from Gilroy Prep (M. Burton, J. Hill, T. Hill and N. Molchan). Therefore, the Staff Team cannot reconcile how six teachers who work at other Navigator schools are “meaningfully interested” in teaching at WPS, or how their displacement from their existing schools will impact those school communities. Instead, the Staff Team finds that these signatures do not meet the requirements of Education Code section 47605(a)(1)(B).

(c) **The Petition does not contain a reasonably comprehensive description of the required elements of a charter Petition. (Ed. Code, § 47605, subd. (b)(5).)**

- (i) The Petition fails to include a reasonably comprehensive description of the Education Program because it fails to adequately describe its plan for specific subgroups of students.

(1) English Language Learners

The Petition does not contain a reasonably comprehensive description of its English Learner ("EL") Program. Charter Petitions are required to "indicate[] how the charter school will meet the needs of ... English learners." (Cal. Code Regs., tit. 5, § 19675.1(f)(1)(G).) While the Petition states the "charter school will meet all applicable legal requirements for English learners," the Staff Team identified the following concerns regarding the plan for EL education outlined in the Petition: which render the description inadequate:

- The "Scope and Sequence Greenlighting" spreadsheets, identified on page 34 of the Petition, are used to support mastery of standards in ELA, Social Studies, Math, and Science. However, there is no mention of scope and sequence for ELD.
- The "Comprehensive standards-based assessment plan" stated on page 40 of the Petition addresses reading fluency, reading comprehension, CCSS based on a year-long instructional map, math facts fluency, and several technology based assessments, including: Lexia, ST Math, STAR Reading and STAR Math." However, again, ELD is not included in the assessment plan.
- It is unclear whether Petitioners understand the appropriate ELPAC window. It is listed as July 31-Oct. 31 on page 50 of the Petition, which is incorrect. Yet, it is listed correctly on page 51 as July 1 – June 30.
- The Home Language Survey, page 50, does not state how it will be determined that the home language is other than English.
- In the discussion of the "Selection Process of Site Council Members," page 83, Petitioners have added a "Chairperson" to the school staff side, which would bring the school staff total to 6, while the parent total remains 5. Each side should have equal representation.
- On page 84 of the Petition, Petitioners state that "Watsonville Prep will strive to have the ELAC and SSC overlap to the extent possible under the law." ELAC can be delegated to SSC. However, this is a specific process that is not outlined in the Petition. There is no mechanism for the ELAC and SSC to "overlap". These are two different groups with two distinct purposes. ELAC can be delegated, separate or adjacent in relation to SSC, but not overlapped.
- On page 98, the Outreach and Recruitment Plan mentions providing promotional materials in English and Spanish. However, there is no mention of sending notices or communications to parents in English and Spanish.
- On page 267 of the Petition, the State-wide assessments list CELDT. However, the appropriate assessment should be ELPAC for 2018-19.

- On page 418, the curriculum overviews are provided for ELA, Math, Science/Social Studies and P.E. There is no curriculum overview for ELD.
- The educational technology listed on page 419 are for Math, Language Arts and Science/Social Studies. Again, there is no educational technology listed for ELD.
- On page 429, the general iPad use policy states that: "Sites not in English, unless required for class" are off limits. This is in direct contrast to assets-oriented and needs-responsive schools that have programs that value and build upon the cultural and linguistic assets students bring to their education in safe and affirming school climates (CA EL Roadmap).

(2) Migrant students

The Petition does not contain a reasonably comprehensive description of the educational program for migrant students. In fact, upon review of the Petition, there are only 2 references to the term "migrant," one of page 44 and the other on page 258 both in relation to the El Dorado IEP form. The Petition fails to acknowledge that 11 % of the PVUSD student population classifies as Migrant. In particular, the Staff Team identified the following deficiencies in the Petition:

- The Petition is silent as to how WPS will serve the migrant student/family population.
- In the Staff Team's experience, at any given time of the year, parents move out of the district looking for work. As a result, students might be out of school for weeks and months. The Petition is silent as to whether these migrant students will be permitted back at WPS (i.e., Buena Vista Camp Students who are expected to miss 4-5 months of school).
- The Petition also lacks any mention of the social-economic status of the Migrant population. Thus, there is no assurance that the Charter School population will be a true reflection of the PVUSD student population.
- The Petition also states that there were a number of consultations/meetings with a number of stakeholders that included Pre-k Programs and Parent Leadership groups. However, it does not appear on the face of the Petition that any such meetings or consultations were held with Migrant PAC or with Migrant Pre-K programs.
- There is no mention in the Petition regarding English Proficient Parents or Language Minority Parents (two main components under the Evaluation Guidance). Therefore, it was unclear how the Charter School will comply with this requirement under Equal Opportunity in Admissions.

(3) Mathematics

The Petition does not contain a reasonably comprehensive description of a sound mathematics curriculum. In particular, the Staff Team notes the following deficiencies:

- *Standards for Mathematical Practice:* The National Council for Teachers of Mathematics describes the Standards for Mathematical Practice (SMP) as "the heart and soul of the Common Core State Standards for Mathematics" (CCSSM). The SMP

describe student behaviors in mathematics, ensure an understanding of math, focus on developing reasoning and building mathematical communication, and lay the foundation to empower students to develop habits of mind where they use math and think mathematically. Teaching the CCSSM in isolation will not adequately prepare students to graduate college and career ready; the SMP must be taught in tandem with CCSSM. The description of the instructional program in the Petition lacks the integration of the SMP.

- *Teaching Methodologies:*
 - The instructional strategies mentioned in the Petition do not align with the CCSSM and students will not be adequately prepared in developing 21st Century skills. The “I do, we do, you do” method (Petition, p. 36) is an obsolete methodology and does not align with the expectations of CCSS and 21st Century skills. In order for students to be 21st Century problem-solvers, they need to engage in regular inquiry cycles, work collaboratively, communicate effectively and engage in academic conversations, such as Number/Math Talks. In addition, there is no mention of how the math curriculum supports two of the three major shifts of CCSSM, coherence and rigor. With coherence, students must experience mathematics as a coherent body of knowledge made up of interconnected concepts where learning experiences are carefully connected across the grades. The CCSSM rigor shifts calls for students to develop conceptual understanding, procedural skills and fluency, and application with *equal intensity*. The instructional strategies described do not support conceptual understanding as they are heavily focused on procedural skills and fluency *only*.
 - The Whole Brain Teaching (WBT) description (Petition, p. 37) lacks an explanation of how this applies to mathematics instruction. The mirror strategy prevents students from being innovative mathematicians. The SMP 3 calls for students to construct viable arguments and critique the reasoning of others. The mirror strategy hinders students to have this opportunity. Once again, the SMP are not taken into consideration when identifying and describing teaching methodologies.
 - The math manipulatives and visual modeling (Petition, p. 39) description is not specific about which manipulatives are used to support developing the foundation for conceptual understanding of key standards. Visual modeling is described as students creating “pictorial models of mathematics problems on a daily basis,” which is not in alignment with expectations of the CCSSM. The SMP 4 calls for students to model with mathematics, which is more than pictorial representations. Students are to use multiple representations (narrative, graph, table and/or algebraic expressions) to model any given mathematics problem.
- *Mathematics Assessments:* The instructional and assessment program lack a description of the types of mathematics questions that will be included in the assessments. Specifically, the Depth of Knowledge levels are not mentioned (Petition, p. 40). A well-balanced assessment must include questions at the four different Depth of Knowledge levels, and students should understand the grading criteria and receive timely feedback to improve their learning.

- *Re-teaching the Standards:* The instructional program in the Petition describes the use of “re-teaching time” where teachers are expected to provide additional instruction to students who have not mastered standards. With the demands of the CCSSM, re-teaching does not suffice. Analysis of student work is necessary to identify common misconceptions and prepare re-engagement opportunities. Re-engagement is using student work for the purpose of uncovering misconceptions, providing feedback on student thinking, and helping students to go deeper into the mathematics. Students have the opportunity to reflect on their own learning while make connections between mathematical ideas. There is a focus on metacognitive development as student analyze other student work in the search for possible mathematical misconceptions (see www.svmimac.org, or www.illustrativemathematics.org) . There is uncertainty as to how well the Petitioners understand the changing pedagogy required with the implementation of the CCSSM and the SMP.
- *Preparation for Integrated Mathematics 1 at High School:* The PVUSD Integrated Mathematics pathways is in second year implementation, and with this, a newly adopted curriculum. Given the above review, students of the proposed Charter School will not be prepared to be successful in the transition to Integrated Mathematics 1.

(4) Special Education

The Petition does not contain a reasonably comprehensive description of the special education program. Petitioners state on page 11 that the Charter School will operate a full inclusion model of education. However, the Staff Team identified the following deficiencies:

- In evaluating the staffing in regards to special education, it does not appear that the Charter School can meet the demands of a special education population similar to that of the District. PVUSD offers the full continuum of services for students, including services for our most severe students. The District has services for all 13 categories of disabilities. A multi-disciplinary team, which is not reflected in the Petition, is needed to provide comprehensive testing of students who may require an IEP. Neither the Budget, nor the Petition, provide sufficient description or information as to how the Charter School will meet these obligations.
- The Petition references the use of MTSS. PVUSD is moving toward a District-wide MTSS model for all its schools. In this model, the District will be adding additional support for students that are non-responders in tier 1 or tier 2. In this way, the District is supporting curriculum, not supplanting it. As outlined in the Petition, the Charter School will be supplanting core curriculum in order to level students, rather than adding to their curriculum. This is a fundamental flaw.
- The Petition does not appear to provide for enough specialized staff to handle certain special education processes, such as a Manifest. This deficiency could lead to lack appropriate educational services for special education students.
- It is unclear how services during suspensions will be addressed. Where will students go for a “change of placement” while they are awaiting a hearing? This lack of clarity renders the description inadequate.

- There is no clear statement in the Petition that Charter School may not move forward with a student expulsion if there is a request for assessment/504, or if the student is in the process of being assessed.

(5) Middle School Students

The Petition fails to provide a comprehensive description of how it will implement its middle school program. As noted above, the Budget, notes and assumptions, do not provide any data regarding the fiscal impact of on-boarding a more comprehensive middle school program. It is unclear what specialized teachers will be required to implement this aspect of the program. Nor does the Petition discuss the unique challenges that face the middle school population. Although the Charter School presumably will not add grades 7 and 8 for several years, the Petition does in fact seek a charter for grades K-8. Therefore, the lack of information and operational plan for these grade spans also renders the program description incomplete.

- (ii) The Petition does not provide a reasonably comprehensive description of the governance structure of the charter school including the process to be followed to ensure parent involvement.

(1) Failure to Adequately Describe its Current Operations

The Petition fails to adequately describe the complex organizational structure of Navigator Charter Schools. The Petition is required to demonstrate that “the organizational and technical designs of the governance structure reflect a seriousness of purpose.” (Cal. Code Regs., § 11967.5.1(f)(4)(B).) The Petition states that the Navigator Board will, among other things, “hold the Chief Executive Officer accountable for the academic and fiscal responsibility of Watsonville Prep School.” (Petition, Element 4.) However, the Petition does not provide specifics as to what role, if any, the CEO of Navigator will play at Watsonville Prep, especially given the fact that the CEO presumably oversees multiple schools. With such a disconnect between the day-to-day operations of the Charter School and the presence of the CEO, it is unclear how this structure provides for meaningful governance.

Similarly, Petitioners state that “The Board may delegate the management of the corporation’s activities to any person(s), management company, or committees provided that the activities and affairs of the corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board.” Such broad delegation rights do not ensure consistency and continuity in governance. Nor does it promote true stakeholder engagement if management of Navigator’s activities can be delegated at any time.

(2) Conflicts of Interest

The Petition provides, “The Board has adopted a Conflict of Interest Code which complies with the Political Reform Act, and Corporations Code Conflicts of Interest rules.” The Staff Team disagrees with this representation. Specifically, there are no assurances in the Petition, Bylaws, or Conflict of Interest Policy that the charter school and its board will comply with the provisions of Government Code section 1090, or common law conflicts of interest. While the charter school’s proposed structure may be permissible pursuant to the rules governing non-profit public benefit corporations, charter schools are public entities, part of the public school system, and operate on public funds. Accordingly, the Petition must adhere to Government Code section 1090, and common law principles of conflict of interest. Unlike the Political Reform Act, which allows interested Board members to recuse

themselves, Government Code section 1090 bars a public agency governing board from entering into a contract in which any member has a financial interest that does not meet a recognized exception.

(3) Lack of Parental Involvement in Governance

The Petition is required to “show the process to be followed by the charter school to ensure parental involvement.” (Cal. Code Regs., § 11967.5.1(f)(4)(B)(2).) The Petition does not provide a reasonably comprehensive description of how parents will be meaningfully involved in governance of WPS, and where it does describe mechanisms of parental involvement, the Petition is clear that parents will not be significantly involved. Specifically, the Petition states that “The [Navigator] Board shall include representatives and members of the community, including one (1) parent representative from Gilroy Prep School, and one (1) parent representative from Hollister Prep School (Foundational Schools).” (Petition, p. 80.) In addition, “meeting times and locations are planned so it is convenient for parents and community members to attend.” (Petition, p. 82.) Yet, the Petition also states that the board will meet “in a convenient location for both charter schools.” (Petition, p. 79.) “Both schools” for this purpose presumably refers to Gilroy Prep and Hollister Prep, excluding Watsonville as a potential location.

(iii) The Petition does not provide a reasonably comprehensive description of the health and safety procedures the Charter School will utilize.

The Petition fails to provide a reasonably compressive description of the Charter School’s Health and Safety policies and procedures. The Staff Team identified the following deficiencies:

- The Petition, at page 85, states, “All non-certificated and certificated staff shall be mandated child abuse reporters and shall follow all applicable reporting laws.” However, charter schools have a responsibility beyond ensuring their employees follow policies and procedures. AB 1432/Education Code section 44691 requires charter schools to “provide annual training ... to their employees and persons working on their behalf who are mandated reporters.” The CDE provides an online module for such training or, alternatively, the school could provide the training itself or hire an outside consultant. This law is not addressed in the proposal, and is particularly problematic in light of the alleged target population.
- The Emergency Operations Plan does not meet the standards set by the County Grand Jury. The Charter School must articulate a plan that uses the Standardized Emergency Management Systems (SEMS) as detailed in the California Emergency Services Act Section 8607 and the supporting California Code of Regulations.
- The Comprehensive School Safety Plan is inadequate.
- The Petition’s proposed Drill schedules does not include a clear plan for evacuations (i.e., meeting places are not identified in the materials provided).
- The Petition does not include a clear plan in terms of Fire Extinguisher maintenance and safety, i.e., monthly checks and annual recharging.

- (iv) The Petition does not provide a reasonably comprehensive description of legally permissible admissions policies.

Petitioners state that admissions preference will be given to those living within the City of Watsonville city limits, despite the fact the PVUSD serves students in other areas such as Monterey County and Aptos. First and foremost, this purported admissions preference is illegal in that Education Code Section 47605(d) specifically states that "Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district." There a preference limited to the City of Watsonville expressly excludes students that reside within the District, but outside the Watsonville city limits, in violation of the Charter Schools Act.

- (i) The Petition does not provide a reasonably comprehensive description of the suspension and discipline procedures the Charter School will utilize.

The proposed suspension and expulsion policies and procedures lack specificity and other critical elements, including:

- In the description of the Discipline: Non-Discretionary Expellable Offenses: 48915 (C), the Petition address the possession of a firearm (1) and explosives (5), but does not mention the other three (3) mandatory expellable offenses - brandishing a knife (2), selling a controlled substance (3) and sexual battery or assault (4)
- In the description of the suspension process, there is no indication of interventions before the suspension process begins, such as Restorative Justice, PBIS, counseling, and or positive conferencing with parent, student, teacher and/or administration.
- The description of the expulsion process fails to mention a Student Discipline Review (SDR) meeting in which a hearing can be stipulated/waived. Such a process offers students the ability to get back in school sooner, instead of waiting for the 10 days for a hearing and then board approval. Students can be out of school for 4-6 weeks without the option to have a SDR.
- The Rehabilitation Plans for students lack clarity. Although the Petition states that students "may" re-apply after they have completed the requirements for expulsion, the Petition is unclear as to how the application will be reviewed and finally determined.
- The Petition lacked any evidence of or discussion regarding a positive school climate with tiered support systems in place under the discipline section, including enhanced staff development on these issues or alternatives to out of school suspensions.
- The Petition does not contain a comprehensive bullying policy or bullying prevention methods, such as student meetings, monitoring school-sponsored networks, parent education, special programs, and/or reporting systems.

- (d) **The Petition presents an unsound education program. (Ed. Code, § 47605, subd. (b)(1).)**

Based on the totality of the program presented in the Petition, the Staff Team recommends that the Petition be denied on the grounds that the Petition presents an unsound education program, and hereby incorporates all of the findings in this Report as support for this

finding. (See Ed. Code, § 47605, subd. (b)(1); Cal. Code. Regs., tit. 5, § 11967.5.1(b).) Staff Adopts the Language of Section 5, Subsection (A) and (D), as part of this finding.

5. **CONCLUSION**

For the reasons stated above, the Petition, as submitted, suggests that the Petitioners are demonstrably unlikely to successfully implement the program, fails to include all of the signatures required by law, fails to provide a reasonably comprehensive description of several essential charter elements, and fails to present a sound educational program. Accordingly, **denial** of the Petition is recommended by the Board adopting this Report as the written factual findings required to support its denial of the Petition, as described.



**Navigator Schools Response to
Pajaro Valley Unified School District Staff Report and Findings
Watsonville Prep Charter Petition
May 23, 2018**

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Navigator Schools, as the petitioning body for Watsonville Prep School (WPS), appreciates the opportunity to address the findings identified by staff members of the Pajaro Valley Unified School District (PVUSD). Please find below rebuttals and/or explanations for each of the findings. Navigator Schools staff is more than willing to provide clarification if needed.

Findings & Responses

1. *The Petitioners are demonstrably unlikely to implement the program described in the Petition. (Ed. Code, § 47605, subd. (b)(2).)*

(1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control.

Navigator Response

Navigator Schools, as the operator of Gilroy Prep School (GPS) and Hollister Prep School (HPS), has never been associated with a charter school which the SBE regards as unsuccessful in any way. No charters granted to Navigator Schools have ever been revoked. In contrast, Navigator actually recently received unanimous support from both current authorizing districts for 5-year renewals. In addition, the past Superintendent of Hollister School District and the current Superintendent of Gilroy Unified School District each wrote letters of strong support for Navigator Schools and its petition to open Watsonville Prep. Both schools have also been honored and recognized by Silicon Schools and Gilroy Prep was recently named a top school by Innovate Public Schools. Finally, Dr. Michael Kirst, current President of the State Board of Education, visited both schools in April, 2017.

2. *Donation Revenue: The Five Year Projection ("Budget"), contained in Appendix X of the Petition, identifies a \$150,000 donation to WPS in Year 0. However, the Budget notes do not indicate whether this "donation" has been made or if WPS simply has a goal to raise this substantial amount.*

Navigator Response

Submitted with the charter petition in Appendix X is a grant award letter from Charter School Growth Fund in the amount of \$2.1M in support of Navigator's expansion. The grant letter specifically states, "The initial disbursement of \$300,000 is scheduled for April to assist with the launch of the proposed Watsonville expansion." These funds have been received which means we are ahead of the budget.

Since the date of the Charter submission, we have also received a grant award from Silicon Schools Fund who have committed to provide \$800,000 to WPS over Years 0-3. This amount was not included in the original budget submitted with the charter petition. A copy of this signed grant agreement is included at the end of this document.

3. *Revolving Loan: The attachments to the Budget include reference to a \$250,000 revolving loan that would be paid in relatively equal amounts over a five-year period. However, the repayment of this revolving loan is omitted from the Budget. Therefore, the expenses to be incurred by WPS is understated by approximately \$50,000 in Years 1-5.*

Navigator Response

Districts are required to use the modified accrual basis of accounting, which includes loan proceeds and loan payments as part of the fund balance. However, charter schools are required to use the accrual basis of accounting. The 5-year budget projection submitted as part of the petition is therefore on the accrual basis of accounting. In accrual basis accounting loan proceeds are not considered revenue, and loan repayments are not considered expenses for calculating the fund balance. They are instead considered part of the cash flow which we have included in other spreadsheets (Year 1 Cash Flow through Year 5 Cash Flow). The repayments are on the very bottom of these spreadsheets just above the Ending Cash.

4. *Start-Up Costs: There is no PCSGP or other Implementation Grant identified in the Budget.*

Navigator Response

We did not include the PCSGP grant because it is widely acknowledged as best practice to not include the PCSGP grant in a new school's budget, because although it is very likely we will get the grant, PCSGP is not a guaranteed revenue source like LCFF. The budget is not silent about how the Charter School will address start-up costs but rather shows a positive monthly cash balance for every month as well as a very healthy fund balance at the end of each year.

5. *Textbooks: The amounts allocated in the Budget for textbooks (ranging from \$3,500 in Year 1 to \$9,000 in Year 5) is woefully inadequate to support the instruction of hundreds of children. Nor do the Petition or the Budget notes clarify how the Charter School will implement the curriculum with nominal textbooks supplies.*

Navigator Response

Navigator Schools, a public charter, is not required by law to purchase textbooks or implement textbook-driven programs.

Rather than wasting valuable public funds on archaic textbook-based materials, Navigator provides students with resources befitting the rapidly-changing technological age in which we live. Textbooks are distinctly out-of-date in contemporary classrooms equipped to harness the power of technology. Digital resources, including high-quality teacher-created materials, unlike antiquated textbooks, can be updated continuously to incorporate new information, are accessible 24/7 via handheld mobile devices, promote student engagement, ensure personalization for diverse groups of students, and prepare learners to work with the digital tools of the modern workplace.

Navigator Schools ensures equitable access to digital-format instructional resources by providing 1:1 student iPads at all grade levels. Print materials supplement digital resources primarily in the form of novels, texts for guided reading, core literature, and primary phonics materials. Empowered by the benefits of accessible, interactive, personalized technology, Navigator teachers and students explore, experiment, and discover beyond the boundaries of static, one-size-fits-all textbooks. They are active producers of knowledge rather than passive consumers. As a result of this forward-thinking philosophy, it is to be expected that textbook expenditures at Navigator Schools are lower than those at schools that choose to employ a more traditional model. Expenses related to technology and software are budgeted in lines 4501 and 5701, totaling \$111,600 in Year 1 and increasing to \$149,856 in Year 2.

6. Facilities Rent: The Budget does not include any expense amount for rental of facilities.

Navigator Response

The budget submitted is based on WPS receiving equitable facilities from PVUSD to house charter school students residing in school district boundaries. With stated enrollment preferences for Watsonville and PVUSD residents, WPS anticipates 95-100% of students to be PVUSD residents. We have heard about facility challenges in PVUSD and continue to research non-PVUSD facilities. With our recent award of an \$800,000 grant from the Silicon Fund, we are in a strong financial position to cover any unfunded rent costs and to pursue our own facility if there are no suitable Prop 39 facilities available.

7. Transportation: The Petition fails to acknowledge the PVUSD community's heavy reliance on District-provided transportation services to access schools and related programs. Likewise, the Budget fails to account for any expenses related to busing or transportation services for prospective WPS students.

Navigator Response

Navigator Schools acknowledges PVUSD staff concerns about the transportation needs of the PVUSD students. While providing transportation services to the general student population is not a legal requirement, we have begun to research providing transportation support to students.

8. *Professional Development: The Staff Team is unable to determine whether these amounts are sufficient to adequately train, coach and develop teachers and staff in the manner described in the Petition and its accompanying documents.*

Navigator Response

We believe coaching is the most effective form of developing our talent. One of Navigator's five compass points is coaching because it is the most important activity any site leader performs. Our commitment to coaching is clear. In Year 1, we invest in a vice principal who, with the principal, will coach all six teachers and the four Small Group Instructors (SGI) weekly. There will also be a part-time SGI coach supporting the team. The Special Education team will have a full-time RSP teacher who will also coach the SPED paraprofessionals weekly. In the second year, we add a Vice Principal of Academics who will become the primary professional development leader as well as another coach. This is the same successful model as the one that GPS and HPS employ.

WPS has included \$24,500 dollars in Year 1, building to \$54,000 in Year 5 for additional trainings provided by external entities including but not limited to:

- Relay Graduate School of Education
- Innovate Public Schools
- National Academy of Advanced Teacher Education
- California Charter Schools Association
- The Ryan Fellowship

For more information on the coaching emphasis at Navigator Schools, please see page 23 of the charter petition.

Navigator Schools learns from other top-quality schools. By studying academically successful schools, Navigator has and will continue to improve teaching skills, learn new programs, and increase student performance. Navigator's coaching model is strongly influenced by the Relay Graduate School of Education based in New York. All teacher coaches at Navigator Schools receive training provided by Relay.

All new instructional staff begin the school year with a two-week training called Navi 101. Throughout this training staff is introduced to our academic model, technology, instructional strategies, and immersed in our culture of excellence. All returning staff gathers for Navi 201, which is the second week of the summer training, when expectations, new initiatives, and

differentiated professional development activities take place. Navi 101 and 201 are key components of our professional development plan. In total, Navi provides ten consecutive days of training at the start of every school year, five full days distributed over the course of the school year, and regular opportunities for training and planning on Wednesday early-release days.

9. *District Oversight Fees: The amounts identified as "3% oversight fees" for the District appear to exclude, without explanation, certain revenue.*

Navigator Response

As the Ed code 47613(f) states (see below), the 3% oversight fee is only calculated on LCFF revenue and not the total revenue as incorrectly stated in this comment.

47613.

(a) Except as set forth in subdivision (b), a chartering authority may charge for the actual costs of supervisory oversight of a charter school not to exceed 1 percent of the revenue of the charter school.

(b) A chartering authority may charge for the actual costs of supervisory oversight of a charter school not to exceed 3 percent of the revenue of the charter school if the charter school is able to obtain substantially rent free facilities from the chartering authority.

(c) A local educational agency that is given the responsibility for supervisory oversight of a charter school, pursuant to paragraph (1) of subdivision (k) of Section 47605, may charge for the actual costs of supervisory oversight, and administrative costs necessary to secure charter school funding. A charter school that is charged for costs under this subdivision may not be charged pursuant to subdivision (a) or (b).

(d) This section does not prevent the charter school from separately purchasing administrative or other services from the chartering authority or any other source.

(e) For purposes of this section, "chartering authority" means a school district, county board of education, or the state board, that granted the charter to the charter school.

(f) *For purposes of this section, "revenue of the charter school" means the amount received in the current fiscal year from the local control funding formula calculated pursuant to Section 42238.02, as implemented by Section 42238.03. (italics added)*

(g) For purposes of this section, "costs of supervisory oversight" include, but are not limited to, costs incurred pursuant to Section 47607.3

10. *CMO Management Fee: The District is left to speculate as to what the CMO fees cover and whether this is an appropriate expenditure of public funds.*

Navigator Response

The CMO fee is absolutely an appropriate, ethical, and necessary expenditure of public funds as prescribed by the highest standards of the law. The Navigator Schools CMO budget is aligned to the broad scope and scale of services it provides to students, staff, and the school

community. The CMO provides an array of essential management, support, and operational services, including compliance reporting, business and financial services, human resources, fundraising and grant-writing, school site supervision, curriculum development, community outreach, and organization-wide professional development, including the training and coaching of principals. The CMO, which Navigator Schools refers to as the Support Office, includes the following staff who are dedicated to supporting the success of all Navigator Schools:

- Chief Executive Officer (CEO)
- Chief Academic Officer
- Director of Curriculum & Instruction
- Director of Human Resources
- Director of Business & Finance
- Director of Internet Technology and Operations
- Director of Community Outreach
- Director of Student Services
- Special Projects Coordinator & Assistant to the CEO
- Payroll & Accounting Clerk
- Community Engagement Facilitator
- Student Information Systems Administrator
- Information Technology Administrator
- Maintenance of Operations and Maintenance
- Data Analyst and Curriculum Specialist
- Innovation Fellow

Although charter petitions do not require a financial model for the CMO, Navigator Schools is committed to transparency and all Navigator Schools budgets and annual audits are available through our board materials posted on our website.

11. Special Education Contract Services: The District Staff Team is unable to ascertain whether this figure is sufficient or reasonable for the projected services.

Navigator Response

In the WPS budget item dedicated to special education contractors, the Year 1 allocation of \$57,000 is to address student needs of an undetermined student population at this time. Based on prior experience, we believe this to be a conservative estimate to provide additional support that may be required to meet the needs of the WPS student body. In addition to a staffing model that includes a Resource/Educational Specialist, Licensed Speech Pathologist and paraprofessional support staff in Year 1, the special education specialist contractors, reflected in the budget, include those who are needed to assess the student in the suspected areas of disability and also those who would provide services to the student as per FAPE.

These service providers may include Licensed Bilingual Educational Psychologist, Licensed Occupational Therapist, Vision Impaired Specialist, Deaf and Hard of Hearing Specialist, Board Certified Behavior Analyst, Bilingual Speech Pathologist, Orientation and Mobility Specialist,

Educational Specialist, Registered Nurse, Certified Assistive Technology Specialist and in the past two years, a Braille instructor.

12. Teacher-Student Ratio: The Budget notes and assumptions suggest that the teacher- to-student ratio is in the range of 21:1 – 22:1. However, this ratio reflects an internal inconsistency in that the chart that sets forth the number of teacher [sic] per grade, per year, provides that there will be 2 teacher [sic] per grade.

Navigator Response

In its first year of operation, WPS will employ a total of eight certificated teachers including six classroom teachers and two teachers-in-training. That will result in a ratio of 22.5 students per certificated teacher. Additionally, in Year 1, there will be one full-time certificated RSP teacher, four small group instructors and two RSP paraprofessionals resulting in a ratio of thirteen students to one member of the instructional team.

13. Custodial/Maintenance and Food Service Staff: The District Staff Team believes this modest FTE is insufficient to meet WPS's custodial, maintenance and food services needs for 180-410 students. As such, the Budget again fails to address critical services that support implementation of the proposed program.

Navigator Response

The projected staffing model for custodial, maintenance and food service needs are sufficient based on Navigator's experience providing these services to existing schools in Gilroy and Hollister. Custodial, maintenance, and food services are supported by a variety of staff members at the Support Office and at school sites. This staff support is not referenced in the FTE described as Custodial, maintenance and food service program. This support includes:

- The Director of Information Technology and Operations (Support Office) provides guidance and oversight to custodial, maintenance and food services;
- The Manager of Operations and Maintenance (Support Office) provides direct supervision and support to custodial, maintenance and food service staff;
- The Office Manager (WPS Staff) assists the food service program as needed, including overseeing the meals reporting processes;
- Yard Duty and Supervision Staff (WPS Staff) provide student supervision and encourage the proper disposal of waste and recyclables. Supervision staff also assists with the clean-up of areas where food is served to students.
- The Manager of Operations and Maintenance (Support Office) serves maintenance needs that extend beyond the capacity of WPS staff. Line 5702 in the budget allocates funds for repair and maintenance to be provided by external support providers. At Gilroy Prep and Hollister Prep, Navigator frequently contracts with the respective school district to provide maintenance services.

- The full-time Site Information Technology Technician, as part of the Information Technology Operations and Maintenance Team, helps the custodial, maintenance, and food service program as needed.
- Food service personnel hours are estimated at 2.5 hours per day in the first year of operation. Food is provided by approved vendors such as Revolution Foods or the School District. Breakfast and lunch are delivered warm and ready to serve, reducing staff time required for food preparation. Custodial services are estimated at .33 hours per day for every classroom = (6 x .33 hr. = 2 hrs./day), .25 hr. for every bathroom (6 x .25 hr. = 1.5hr/day), and 1 hr. a day for other school offices, totaling 7 hrs. a day, providing an additional 1.0 hr. as needed to complete related tasks. Since the position is budgeted as a full-time position with a work calendar of 210 days, deep cleaning will be done on days that school is not in session. The 1.0 FTE in Custodial, maintenance and food services increases by 0.2 FTE each year to meet the needs of the expanding school.

14. ADA Percentage: The Charter School identifies slightly conflicting, yet important, ADA percentage projections.

Navigator Response

The Petition narrative states in the first sentence of the section on average daily attendance (page 13) that we expect our ADA to exceed 96%. We budgeted based on this expectation.

15. Middle School Program Funding: There is no indication in the Budget of how Petitioners would on-board and implement a full middle school program.

Navigator Response

The Budget for Years 1-5 is presented in accordance with Charter School Petition law, which limits a petitioner to the first five years of operating a school.

16. The Petitioners [sic] past history of operating other charter schools is not analogous to the proposed charter school. The Petition relies heavily on data and information gleaned from this [sic] other locations, while failing to specify current and relevant information regarding the student population of PVUSD. The District staff Team does not believe that educational models are "cookie cutter" and can simply be replicated from community to community.

Navigator Response

Navigator provides current and relevant information in the form of evidence relating to the sustained success of its model, in terms of positive climate, culture, district partnerships, regional and national recognition, and — above all — student achievement. In addition, Navigator has provided current, relevant, and compelling evidence for the immediate need for new educational options in PVUSD. This need is substantiated not only by data, but by the

heartfelt requests and commitment of hundreds of WPS supporters, including future WPS parents, who expect, demand, and deserve excellent schools in their community.

While Navigator believes that every community is unique, it shares a belief with the California Department of Education, the governor, the state legislature, diverse community service and social justice groups, and thousands of educational leaders throughout the nation that it is incumbent upon public schools to identify, develop, and adopt research-based strategies to better serve the needs of student subgroups, including English Learners, SED, SWD, and Hispanic/Latino students. Equating research-based practices and high-achieving school models with “cookie-cutter” approaches is a grave error that appears to discount evidence, resist change, and cast doubt upon every teacher who works hard to find new ways to help every child succeed.

State data reports that subgroups succeed at Navigator. These subgroups, including English Learners and Hispanic/Latino students, are in most need of new school options in PVUSD. To deny this evidence is to deny the currency and relevance of results collected and disseminated by the California Department of Education, including SBAC scores and the CA School Dashboard.

Navigator Schools has proven that its model can be replicated to meet the needs of the communities it serves through the opening of Hollister Prep School in 2013 and through the continued success of both GPS and HPS. The chart below illustrates the success of the Navigator model with student populations which are closer to the demographics of Watsonville than any of PVUSD’s highest-performing elementary or middle schools.

Percent EL, FRL, and SBAC Proficiency (2016-17)				
<i>School</i>	<i>% EL</i>	<i>% FRL</i>	<i>% ELA Standard Met or Exceeded</i>	<i>% Math Standard Met or Exceeded</i>
Aptos Junior High	9.5	32.7	57	42.7
Bradley Elementary	20.3	50.2	45.3	37.7
Mar Vista Elementary	6.8	28.6	50	46.2
Rio del Mar Elementary	2.1	11.4	66.4	61.7
Valencia Elementary	14.8	30.8	61.6	54.8
Gilroy Prep	37	49	83	75
Hollister Prep	46	62	91	75

17. Petitioners’ assertion is fundamentally flawed in that six (6) of the seven (7) teachers that signed the Petition are teachers at Navigator’s two other charter schools, including 4

teachers from Gilroy Prep (M. Burton, J. Hill, T. Hill and N. Molchan). Therefore, the Staff Team cannot reconcile how six teachers who work at other Navigator schools are “meaningfully interested” in teaching at WPS, or how their displacement from their existing schools will impact those school communities. Instead, the Staff Team finds that these signatures do not meet the requirements of Education Code section 47605(a)(1)(B).

Navigator Response

The seven meaningfully interested teachers who signed the petition are credentialed teachers who by their signature express that they are meaningfully interested in teaching at Watsonville Prep. The individuals who expressed meaningful interest made the decision to support the Watsonville Prep petition based on their own experience and professional judgement. Navigator Schools supports their interest. There is no valid reason to question the meaningful interest indicated by these individuals. Navigator Schools is well-positioned to fill any vacancies that may result at Gilroy Prep and Hollister Prep.

18. The “Scope and Sequence Greenlighting” spreadsheets, identified on page 34 of the Petition, are used to support mastery of standards in ELA, Social Studies, Math, and Science. However, there is no mention of scope and sequence for ELD.

Navigator Response

We have an [ELD Scope and Sequence](https://goo.gl/UZaqLE) that teachers will follow similar to the ELA, Math and Science scope and sequence. (<https://goo.gl/UZaqLE>)

19. The “Comprehensive standards-based assessment plan” stated on page 40 of the Petition addresses reading fluency, reading comprehension, CCSS based on a year- long instructional map, math facts fluency, and several technology based [sic] assessments, including: Lexia, ST Math, STAR Reading and STAR Math.” However, again, ELD is not included in the assessment plan.

Navigator Response

ELD will be assessed at WPS as it is at GPS and HPS. Each week there will be a focus-standard in ELD. The teacher will be taking formative data throughout the designated session in the form of boards-up, oral and written responses and exit tickets. This data will drive future designated lessons as well as integrated scaffolds. In addition to the data teachers collect, they will also utilize ELPAC data to help identify language gaps and inform instructional focus.

20. It is unclear whether Petitioners understand the appropriate ELPAC window. It is listed as July 31-Oct. 31 on page 50 of the Petition, which is incorrect. Yet, it is listed correctly on page 51 as July 1 – June 30.

Navigator Response

The petitioners understand that the page 51 description is the correct ELPAC window. ELPAC is administered to Initial ELL students within first 30 days of instruction, as determined by the Home Language Survey. Summative ELPAC is administered between February 1st - May 31st and is determined through collaboration with the teachers and the Data Analyst and Curriculum Specialist. These ELPAC testing weeks are called out in the ELA and History/Social Studies Scope and Sequence, and the Academic Calendar.

21. The Home Language Survey, page 50, does not state how it will be determined that the home language is other than English.

Navigator Response

As stated in the charter, "All students who indicate their home language is other than English will be tested with the ELPAC." WPS will distribute a home language survey to all new incoming students upon enrollment. A sample of the survey Navigator Schools currently uses is provided below. It is sent home in English and Spanish.



STUDENT REGISTRATION FORM

School Year _____

Student Information

Last Name _____		First Name _____		Middle Initial _____	Gender _____	Grade Level (Registering for) _____	
Residence Address _____			City _____	Zip Code _____	Birthdate _____	Birth Place (State or County) _____	
Mailing Address _____		City _____	Zip Code _____	Home Phone _____	Month/Year moved to current address _____		
Emergency Contact Information - If responsible adult (Parent/Guardian) is not available _____					Medical Problem(s)? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Name _____		Address _____		Phone Number _____	If Yes, describe problem (Attach any additional information) _____		
Has this student attended Hollister/Gilroy Unified Schools in the past? <input type="checkbox"/> Yes <input type="checkbox"/> No					School Attended _____ Grade _____		
List any siblings living in the home attending Gilroy/Hollister Schools:							
Name of Sibling _____		School Attended _____		Name of Sibling _____		School Attended _____	
Has this student ever received any of the following services in this or any other district? _____					GATE: <input type="checkbox"/> Yes <input type="checkbox"/> No		ESL / ELD: <input type="checkbox"/> Yes <input type="checkbox"/> No
Special Education: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, identify services (Resource, Speech, Special Day, 504 Plan) _____							
Previous School (s) (List Pre-school if applicable): _____							
Grades Attended _____		Dates Enrolled (From/To) _____		School _____	Public? <input type="checkbox"/> Yes <input type="checkbox"/> No		State, City and County _____

Home Language Survey

If you answer any language other than English for any questions below, your child will be required to take an ESL or ELD Test

1. What language did this student learn when first beginning to talk? _____
2. What language do you use *most frequently* to speak to this student? _____
3. What language does this student *most frequently* use at home? _____
4. What language is *most often spoken* by the adults at home? _____

Parents/Guardians Information

Mother/Guardian <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/> Other _____		<input type="checkbox"/> Mother <input type="checkbox"/> Foster Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other _____	
Name _____		Address (if different from student) _____	
Business Phone and Extension _____	Cel Phone _____	Divorced/Legally Separated: <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, joint custody? <input type="checkbox"/> Yes <input type="checkbox"/> No
Education Level - College, degree obtained: <input type="checkbox"/> Not high school graduate <input type="checkbox"/> High School Graduate <input type="checkbox"/> Some College <input type="checkbox"/> College Graduate <input type="checkbox"/> Graduate School		Emergency Contact? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Father/Guardian <input type="checkbox"/> Mr. <input type="checkbox"/> Other _____		<input type="checkbox"/> Father <input type="checkbox"/> Foster Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other _____	
Name _____		Address (if different from student) _____	
Business Phone and Extension _____	Cel Phone _____	Divorced/Legally Separated: <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, joint custody? <input type="checkbox"/> Yes <input type="checkbox"/> No
Education Level - College, degree obtained: <input type="checkbox"/> Not high school graduate <input type="checkbox"/> High School Graduate <input type="checkbox"/> Some College <input type="checkbox"/> College Graduate <input type="checkbox"/> Graduate School		Emergency Contact? <input type="checkbox"/> Yes <input type="checkbox"/> No	

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FORGOING IS TRUE AND THAT MY SUPPORTING DOCUMENTS ARE CORRECT.

Parent/Guardian Signature: _____

Date: _____

Office Use Only

ID: _____	SCH: _____	REG-DATE: _____	ENROLLED BY: _____	ETH: _____	IMMUN: _____	SPECIAL ED: _____	HOME SCH: _____	Next School Code: _____
Verification of Residence: <input type="checkbox"/> Deed <input type="checkbox"/> Tax Card <input type="checkbox"/> Lease <input type="checkbox"/> Insurance <input type="checkbox"/> Eviction Letter <input type="checkbox"/> Other: _____								
Documentation of Birthdate: <input type="checkbox"/> Baptismal Record <input type="checkbox"/> Birth Certificate <input type="checkbox"/> Passport <input type="checkbox"/> Other: _____								
Referred to ELD _____		ELD Status: _____		Test Date: _____		Primary Language: _____		

22. In the discussion of the "Selection Process of Site Council Members," page 83, Petitioners have added a "Chairperson" to the school staff side, which would bring the school staff total to 6, while the parent total remains 5. Each side should have equal representation.

Navigator Response

When listing the Site Council Members, the Chairperson listed is not an additional individual, but a person who is designated from the other listed members. The list was missing a clarification and should have been written as follows:

- The principal
- Three certificated representatives (to be elected by certificated staff)
- One classified representative (to be elected by classified staff)
- 5 WPS parent members (to be elected by parents of WPS students)
- Chairperson (to be one of the above-mentioned members of the SSC, elected by the SSC)

23. On page 84 of the Petition, Petitioners state that "Watsonville Prep will strive to have the ELAC and SSC overlap to the extent possible under the law." ELAC can be delegated to SSC. However, this is a specific process that is not outlined in the Petition. There is no mechanism for the ELAC and SSC to "overlap". These are two different groups with two distinct purposes. ELAC can be delegated, separate or adjacent in relation to SSC, but not overlapped.

Navigator Response

The petition states, "Watsonville Prep will strive to have the ELAC and SSC overlap to the extent possible under the law. The two committees will convene to ensure alignment on the SPSA and LCAP Plan, as they both play development and monitoring roles."

Watsonville Prep aims to make parent involvement as inviting as possible. Scheduling the SSC and the ELAC meetings back to back can help working parents who may have interest in attending both meetings. Should there be an agenda item that relates to both sets of stakeholders, such as LCAP, we may place that item in between both meetings or in a joint meeting (in other words "an overlap") for parent convenience. We appreciate the opportunity to clarify the intended meaning of word "overlap" as referenced in the charter petition.

24. On page 98, the Outreach and Recruitment Plan mentions providing promotional materials in English and Spanish. However, there is no mention of sending notices or communications to parents in English and Spanish.

Navigator Response

At both GPS and HPS all notifications are sent home in both English and Spanish. This practice will continue at WPS.

25. On page 267 of the Petition, the State-wide assessments list CELDT. However, the appropriate assessment should be ELPAC for 2018-19.

Navigator Response

The reference to the CELDT was in an appendix containing the El Dorado SELPA IEP form which has subsequently been updated.

26. On page 418, the curriculum overviews are provided for ELA, Math, Science/Social Studies and P.E. There is no curriculum overview for ELD. The educational technology listed on page 419 are for Math, Language Arts and Science/Social Studies. Again, there is no educational technology listed for ELD.

Navigator Response

The section referenced is in the parent handbook. It provides a sampling of curriculum and strategies used by Navigator Schools. WPS will develop differentiated ELD lessons for language learners to cover all ELD standards and gaps identified through data which will indicate the ELD standards. Our ELD program overview can be found on pages 48-54.

27. On page 429, the general iPad use policy states that: "Sites not in English, unless required for class" are off limits.

Navigator Response

Our students are only permitted to visit sites required for class. They are not allowed to randomly browse websites. Viewing sites in English, unless required for class, is not permitted either.

28. Migrant students: The Petition is silent as to how WPS will serve the migrant student/family population. There is no mention in the Petition regarding English Proficient Parents or Language Minority Parents

Navigator Response

WPS is committed to providing a right to return for migrant students that move out of the area. At both current sites, Navigator sends home all correspondence in both English and Spanish. Translation services are provided at all meetings. These practices will continue at WPS.

The WPS model will serve all student populations, including the migrant population. Educators at WPS will rely on a MTSS framework to ensure curriculum, technology, teaching strategies and behavioral interventions support academic achievement and positive behavioral and social emotional skills for all students. The tiers of support embedded in the instructional design

ensures that the school culture is one where equity and access, regardless of ability, socio-economic status, gender or ethnicity is pervasive and transparent.

It is important to note that this finding exceeds applicable legal requirements. Neither the Education Code nor the Regulations applicable to charter petitions reviewed on appeal to the State Board of Education contain any requirement that charter petitions must address migrant education. For that reason alone, this is an impermissible basis for denial of the WPS charter petition. As above, WPS greatly desires to serve a migrant student population, and has creative ideas to do so. However, describing this in the charter is not a legal requirement.

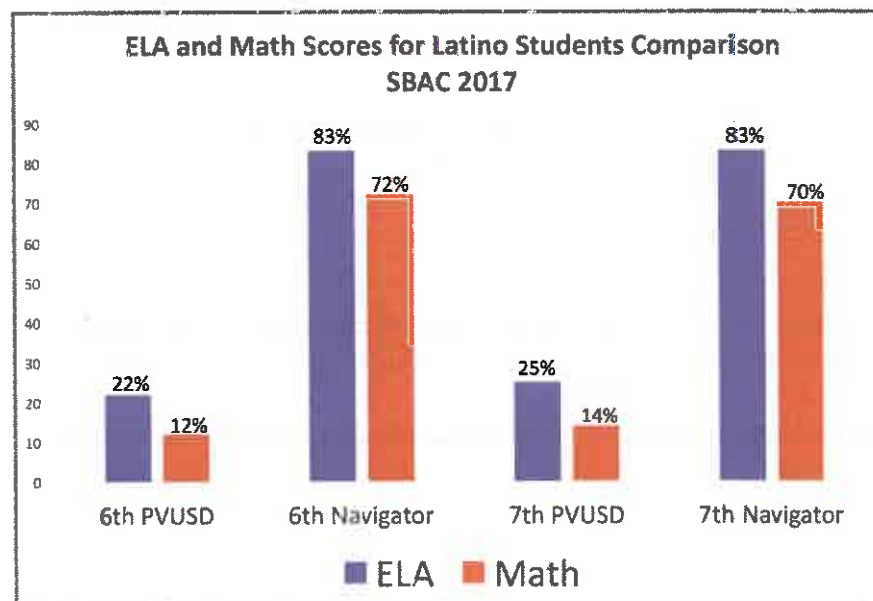
29. Mathematics: The Petition does not contain a reasonably comprehensive description of a sound mathematics curriculum.

Navigator Response

The WPS petition provides a reasonably comprehensive description of a sound mathematics curriculum. Additionally, results from existing Navigator Schools proves that the curriculum is highly effective. The program is described in several sections in the petition:

- A link to the entire math curriculum map for each grade including scope and sequence, assessments, teacher exemplars and links to instructional materials to be used (p. 35)
- K-5 STEM Overview (p. 26-31)
- 6-8 STEM Overview (p. 32-33)
- Assessment plan (p. 75)
- The math blended software programs and print materials used (p.35-36)

Navigator's math curriculum is producing extraordinary results:



These results are the due to the fact that, daily, Navi students from Kinder through 8th grade demonstrate high levels of mathematical understanding beyond simple computation. Below is a typical work sample of a student in seventh grade, illustrating the in-depth level of expectation and understanding of the math standards. Note the combination of visual representations demonstrating true comprehension of the content and the extensive written descriptions supporting the claims.

Handwritten work sample for finding angles in a triangle:

Problem 1: Find $\angle CAB$
 Given: $\angle A = 2x$, $\angle B = 2x$, $\angle C = 40^\circ$
 Solution: $\angle CAB = 2x = 2(20) = 40^\circ$
 Explanation: I know this because $2x + 2x + 40 = 180$. First you add the terms so you get $4x + 40 = 180$. Then you subtract 40 to get $4x = 140$. Now you divide by 4 to get $x = 35$. Wait, that's not right. Let me check. $2x + 2x + 40 = 180$. $4x + 40 = 180$. $4x = 140$. $x = 35$. But $\angle CAB = 2x = 70^\circ$. Wait, the student says $\angle CAB = 40^\circ$. Let me re-read. Ah, the student says $\angle CAB = 2x = 2(20) = 40^\circ$. So $x = 20$. How did they get $x = 20$? $4x + 40 = 180$. $4x = 140$. $x = 35$. That doesn't match. Let me look at the diagram. The diagram shows a triangle with angles $2x$, $2x$, and 40° . The student says $\angle CAB = 40^\circ$. That seems to be the answer they want to reach. Let me check the work again. $2x + 2x + 40 = 180$. $4x + 40 = 180$. $4x = 140$. $x = 35$. $\angle CAB = 2x = 70^\circ$. The student says $\angle CAB = 40^\circ$. There is a discrepancy. Let me look at the next problem.

Problem 2: Find $\angle CBE$
 Given: $\angle A = 30^\circ$, $\angle B = 120^\circ$, $\angle C = 90^\circ$
 Solution: $\angle CBE = 120^\circ$
 Explanation: To find $\angle CBE$, you have to find x by making the equation $30 + x + 120 = 180$. First you add like terms which get $150 + x = 180$. Then you subtract 150 from both sides and get $x = 30$. Now to find $\angle CBE$, you multiply x by 4 to get 120 . Now you can multiply and you get $\angle CBE = 120^\circ$.

Problem 3: Find $\angle CBE$
 Given: $\angle A = 30^\circ$, $\angle B = 120^\circ$, $\angle C = 90^\circ$
 Solution: $\angle CBE = 120^\circ$
 Explanation: To find $\angle CBE$, you have to find x by making the equation $30 + x + 120 = 180$. First you add like terms which get $150 + x = 180$. Then you subtract 150 from both sides and get $x = 30$. Now to find $\angle CBE$, you multiply x by 4 to get 120 . Now you can multiply and you get $\angle CBE = 120^\circ$.

Common Core is central to all Navigator mathematics and we follow all best practices as defined by the initiative. The Core endeavors to follow the design envisioned by William Schmidt and Richard Houang (2002), by not only stressing conceptual understanding of key ideas, but also by continually returning to organizing principles such as place value and the laws of arithmetic to structure those ideas. Using these principals has led to incredible success.

30. *Teaching Methodologies: The instructional strategies mentioned in the Petition do not align with the CCSSM and students will not be adequately prepared in developing 21st Century skills.*

Navigator Response

The instructional strategies mentioned completely align with the CCSSM. Students work in small ratios discussing, writing about and visual representing mathematical understanding. They build models and even their own videos demonstrating the comprehensive mastery of the CCSSM.

Navigator shared this [video](https://bit.ly/2xdjbQC) (<https://bit.ly/2xdjbQC>) with board members and the Superintendent demonstrating how and why Navigator students have such high mathematical outcomes; it is because of the strategies that are used in existing classrooms and described in the petition.

31. *The Whole Brain Teaching (WBT) description (Petition, p. 37) lacks an explanation of how this applies to mathematics instruction.*

Navigator Response

Page 37 of the petition explains, “Many of the common strategies and/or methodologies, all of which are designed to accelerate English language development” only one of which is applying gestures to common terms or ideas. For example, when using the word “combine” we might interlace our fingers to represent putting things together, or we may use our fingers to draw a quadrilateral in the air. “Mirrors” are only one of many engagement strategies we use to keep students connected through oral, written, and kinesthetic activities.

Students are encouraged to create arguments through daily mathematical discussions.

As stated in the petition, “Instructional presentations are rigorous and offer multiple models to support student understanding of both the how and why behind math” and we have a “student discussion/facilitation model [used by] elementary school students which allows them to grapple with the concepts in productive struggle in preparation for deeper conversations in middle school. The teacher is there to ensure that the collaborative discussions are leading to deep understanding of the concepts.”

Teachers ensure there is time daily for students to lead discussions about the Common Core math standards and to defend their ideas and strategies.

32. *The math manipulatives and visual modeling (Petition, p. 39) description is not specific about which manipulatives are used to support developing the foundation for conceptual understanding of key standards.*

Navigator Response

Each classroom will be outfitted with the same concrete manipulatives that are provided to all of our Navigator Schools. Depending on grade, these include Base 10 Blocks, fraction tiles, clocks, protractors, counters, foam dice, playing cards, and dominoes.

The petition states, "Comprehensive instructional presentations are rigorous and offer multiple models to support student understanding of both the how and why behind math ... Effective instruction includes the use of various manipulatives which have been proven to support the deeper understanding of mathematics for students of all subgroups."

Here is an image of Navigator students using manipulatives to master the concepts of vertices and edges.

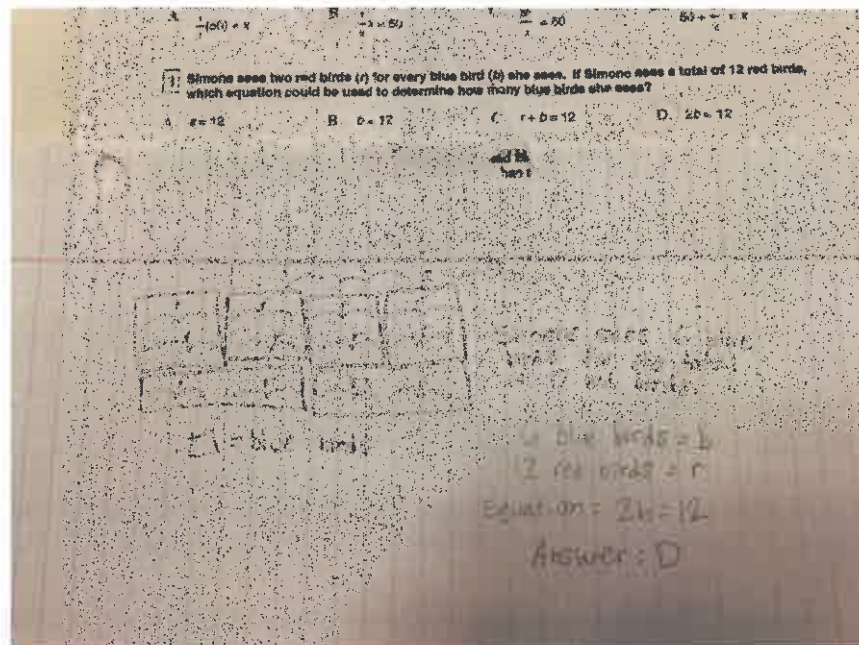
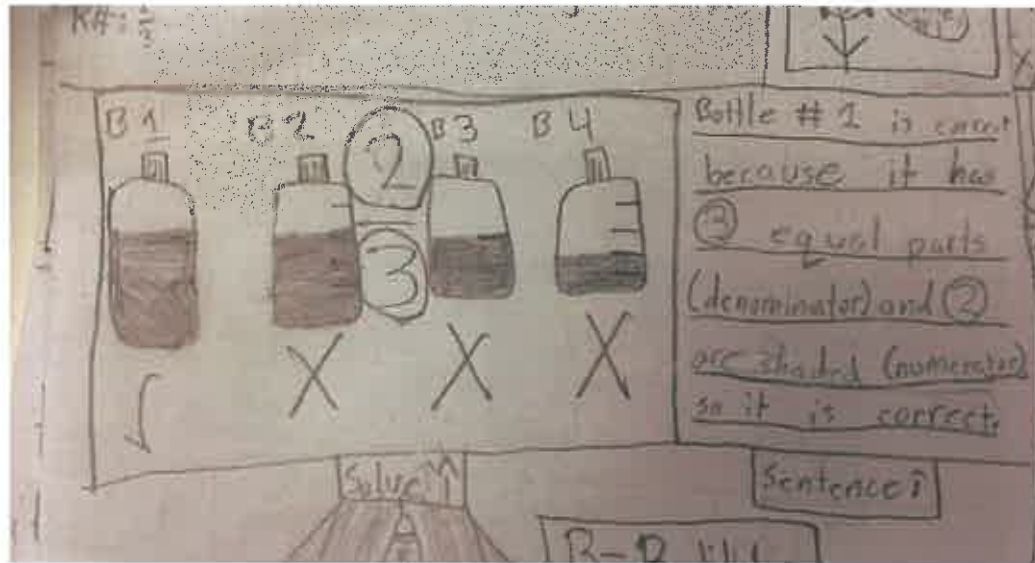


In addition the charter also states, "WPS students will create pictorial models of mathematics problems on a daily basis."

Students are encouraged to explore and collaborate with the concrete and the pictorial as clearly seen in this video of [6th Grade Math Collaboration](#), in which Navigator students are creating a net using a cardboard box, as well as a pictorial representation of their physical

measurements. (<https://bit.ly/2GLFKVN>)

Our weekly formative math assessments are created from a robust question bank provided by our assessment tool provider, Illuminate, and are designed to maximize rigor. Below are student work samples from weekly assessments demonstrating yet again high level of math visualization combined with strong written explanations.



33. *Re-teaching the Standards: The instructional program in the Petition describes the use of “re-teaching time” where teachers are expected to provide additional instruction to students who have not mastered standards. With the demands of the CCSSM, re-teaching does not suffice.*

Navigator Response

In addition to re-teaching time, WPS educators participate in data meetings (p. 42-43) three times per month. Teachers work collaboratively to analyze student work and identify misconceptions. After teachers analyze student work, adjustments are made to instruction for reteaching through guided discourse, spiral review, intervention, or whole-class re-teach. Below are supporting documents used in other Navigator schools.

Navigator Post-Assessment Analysis

<p>Before Meeting</p> <ul style="list-style-type: none"> <input type="checkbox"/> Look at quiz scores by question (matrix) <input type="checkbox"/> Select 1-2 lowest % to analyze <input type="checkbox"/> Bring student work (4-squares) <ul style="list-style-type: none"> <input type="checkbox"/> 2 low, 2 med, 1 high + your exemplar 	<p>During Meeting Discussion</p> <ol style="list-style-type: none"> 1. Which question did your students struggle most with and what standard did the question address? 2. What are all the steps or skills students needed to be able to do or have to answer this question correctly? (share teacher exemplar) 3. What misunderstandings are revealed: what do you think students were doing wrong here? What strategies did they use or not use that will be helpful with your intervention/retach? 4. What did the mediums do that the low did not? What did the high do that the mediums did not? 5. What will I adjust in my lesson or expectations to move them to the next level? What will each center group need? 6. How many students struggling are ELs? What do you think was difficult for your language learners? 	<p>Action Plan</p> <p>> 80% move on as a class and address misconceptions in Intervention groups. Always spiral to ensure retention</p> <p>< 80% decide next steps</p> <ul style="list-style-type: none"> <input type="checkbox"/> Whole Class Modeling (I/We/You) <input type="checkbox"/> Guided Discourse (choose a correct and incorrect sample and have students analyze and decide which is the exemplar and where the point of error was in the other) <input type="checkbox"/> Intervention (select students to reteach during your intervention blocks) <input type="checkbox"/> Spiral (ensure this concept is reviewed in your spiral review block) <input type="checkbox"/> Instructional design iteration (alter your instructional presentations or spiral if there is something missing that could have been helpful) <input type="checkbox"/> ELD what do you need to review with your EL students? What can you do to frontload beforehand next time?
<p>Action Plan Notes</p> <p>What is your student action plan and with which students?</p> <p>What is your teacher action plan (strategies, instructional design, center groups etc.)?</p> <p>When will you be reteaching this? (mark in plan book/calendar)</p>		

Navigator Reteach Plan

Gap / Misconception	Students	Reteach plan
		<input type="checkbox"/> Whole Class Modeling (I/We/You) <input type="checkbox"/> Guided Discourse (choose a correct and incorrect sample and have students analyze and decide which is the exemplar and where the point of error was in the other) <input type="checkbox"/> Intervention (select students to reteach during your intervention blocks) <input type="checkbox"/> Spiral (ensure this concept is reviewed in your spiral review block) <input type="checkbox"/> Instructional design iteration (alter your instructional presentations or spiral if there is something missing that could have been helpful)
Reteach Action Plan: Questions to guide students to the misconception: 1. 2. 3. 4.		

Below is an example of how the Navigator data cycle impacts student learning. In the first picture we see the student's initial output after one day of instruction. After the teacher's analysis of the initial misconception, the student progressed to a greater depth of knowledge by the formal assessment (second photo).



Students frequently identify their misconceptions in Navigator classrooms. At WPS, teachers will be coached to develop a strong "culture of error" where students will develop and understand the value in finding their own misconception. Students are given probing questions

to allow them to carry the heavy cognitive load. The [Culture of Error with Navigator Students](https://bit.ly/2IZvEw1) video documents students at HPS identifying their errors and learnings. (<https://bit.ly/2IZvEw1>)

34. Special Education: In evaluating the staffing in regard to special education, it does not appear that the Charter School can meet the demands of a special education population similar to that of the District. PVUSD offers the full continuum of services for students, including services for our most severe students. The District has services for all 13 categories of disabilities. A multi-disciplinary team, which is not reflected in the Petition, is needed to provide comprehensive testing of students who may require an IEP. Neither the Budget, nor the Petition, provide sufficient description or information as to how the Charter School will meet these obligations.

Navigator Response

In response to the concerns that WPS will be able to meet the demands of the special education population in the District, Navigator Schools students with disabilities ELA SBAC scores showed that 46% of the students were proficient or advanced in contrast with 9% of PVUSD's students with disabilities scoring proficient or advanced on the ELA SBAC. These scores demonstrate that students with IEPs at Navigator Schools are being successful, though there is still an achievement gap that the Schools will always be working to close.

Navigator Schools currently serves students in many categories of disabilities and will provide services for all 13 categories of students as per our LEA status. We currently serve a diverse group of students including those who qualify under the following categories of disabilities: Autism Spectrum Disorder, Intellectual Disability, Orthopedic Impairment, Hearing Impairment, Blindness, Specific Learning Disabilities, Speech and Language Impaired and Other Health Impairment.

Multidisciplinary Team Members that Navigator Schools has used for one or more assessments to gather and interpret data as stated in the El Dorado Charter SELPA Procedural Guide for Special Education, page 15, has included the following: Licensed Bilingual Educational Psychologist, Licensed Occupational Therapist, Vision Impaired Specialist, Deaf and Hard of Hearing Specialist, Board Certified Behavior Analyst, Bilingual Speech Pathologist, Orientation and Mobility Specialist, Educational Specialist, Registered Nurse, Certified Assistive Technology Specialist and in the past two years, a Braille instructor.

As indicated above regarding the special education contractors budget question, these services are addressed in the WPS budget.

35. PVUSD is moving toward a District-wide MTSS model for all its schools. As outlined in the Petition, the Charter School will be supplanting core curriculum in order to level students, rather than adding to their curriculum.

Navigator Response

To address the concerns that WPS's implementation of MTSS is supplanting the core curriculum by "leveling students", please note that the Charter states that, "RTI is a way to provide students with the supports they need," and that Tier 1 supports are provided to all students and at Navigator, Tier 2 supports are provided as the Charter states, "when there is data to demonstrate that Tier 1 supports are not enough" during intervention blocks or academic rotations during independent center time and during the extended day. Tier 3 supports are more intensive, can occur during the dedicated intervention time or academic rotations during independent center time, and include extended day support.

- 36. The Petition does not appear to provide for enough specialized staff to handle certain special education processes, such as a Manifest. This deficiency could lead to lack [sic] appropriate educational services for special education students.*

Navigator Response

The El Dorado Charter SELPA Procedural Guide for Special Education, page 121, states that the members of a Manifest determination meeting include the following: parent/guardians, LEA/district, and all relevant members of the IEP team as determined by the parent and the LEA/district. Watsonville Prep School will have those members available.

- 37. It is unclear how services during suspensions will be addressed.*

Navigator Response

Services for students with IEPs during suspensions, as long as the removal does not constitute a change of placement as described in the Procedural Guide, page 121, are provided in the same manner as for those in general education. If the suspension is for more than 10 consecutive days or represents of a series of removals totaling more than 10 days, showing a pattern of similar behaviors, it is considered a change of placement and a Manifest determination meeting needs to be held. The IEP team will determine where the services will be accessed.

- 38. There is no clear statement in the Petition that Charter School may not move forward with a student expulsion if there is a request for assessment/504, or if the student is in the process of being assessed.*

Navigator Response

On page 123 of the petition the Manifestation Determination Meeting Procedure is described. It reads as follows:

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified to be eligible for special education and related services and who has violated a code of student conduct may assert the procedural safeguards if the Charter School had knowledge that the student was disabled before the behavior occurred.

Knowledge on the part of the Charter School includes:

- The parent/guardian has expressed concern in writing, or orally, to supervisory or administrative personnel of the Charter School that the child is in need of special education and related services.
- The parent/guardian has requested a special education evaluation of the child.
- The student is in the process of being assessed for special education.
- The student has a section 504 plan.
- The teacher of the student, or other personnel of the LEA, expressed specific concerns about a pattern of behavior demonstrated by the child to the director of special education of the Charter School or to other supervisory personnel of the Charter School.

39. Middle School Students: The Petition fails to provide a comprehensive description of how it will implement its middle school program.

Navigator Response

As mentioned before, the Budget for Years 1-5 is presented in accordance with Charter School Petition law, which limits a petitioner to the first five years of operating a school. Navigator Schools has experience adding and operating grades 7 and 8 successfully.

40. Failure to Adequately Describe its Current Operations: The Petition fails to adequately describe the complex organizational structure of Navigator Charter Schools.

Navigator Response

The Organizational Structure of Navigator Schools is adequately addressed in Element 5. The roles and responsibilities of the Chief Executive Officer and Chief Academic Officer are described, along with detailed along with copies of the job descriptions for these positions. Additional detail on the organizational structure is referenced in Appendix C.

41. Similarly, Petitioners state that *"The Board may delegate the management of the corporation's activities to any person(s), management company, or committees provided that the activities and affairs of the corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board."* Such broad delegation rights do not ensure consistency and continuity in governance. Nor does it promote true stakeholder engagement if management of Navigator's activities can be delegated at any time.

Navigator Response

The Navigator Schools Board of Directors is responsible for ensuring that Watsonville Prep School adheres to all laws and regulations, is fiscally viable, and is meeting or exceeding high standards for school climate and academic performance. The Board is committed to stakeholder engagement and maintains broad powers to effectively carry out the duties of the Board.

42. *Conflicts of Interest: The Petition provides, "The Board has adopted a Conflict of Interest Code which complies with the Political Reform Act, and Corporations Code Conflicts of Interest rules." The Staff Team disagrees with this representation.*

Navigator Response

Navigator Schools operates with the highest regard for its position as a steward of public dollars and public education. Navigator operates ethically and avoids financial conflicts of interest in all decisions. Navigator Schools' Conflict of Interest Code complies with both the Political Reform Act and the Corporations Code. The District has not provided any evidence to the contrary.

The PVUSD team appears to suggest that Navigator Schools must comply with Government Code Section 1090. However, Government Code Section 1090 does not apply to charter schools. It applies to school districts through a provision in the Education Code. Charter schools are exempt from this provision due to Education Code Section 47610, sometimes known as the "mega-waiver." Additionally, several legislative attempts to have Section 1090 apply to charter schools have either not been voted through or have been vetoed by Governors of both parties.

43. *Lack of Parental Involvement in Governance: The Petition does not provide a reasonably comprehensive description of how parents will be meaningfully involved in governance of WPS, and where it does describe mechanisms of parental involvement, the Petition is clear that parents will not be significantly involved.*

Navigator Response

Navigator Schools is committed to providing opportunities for parental voice and community involvement. In addition to the School Site Council and ELAC (petition p. 83-84), parents are invited to serve on Board committees and apply for available seats on the board. The current board also reflects community voice through the service of the current chair of the Pajaro Valley Chamber of Commerce and Agriculture. Meetings will also be held at locations convenient for all schools, with teleconference locations at all schools.

44. The Petition does not provide a reasonably comprehensive description of the health and safety procedures the Charter School will utilize. The CDE provides an online module for such training or, alternatively, the school could provide the training itself or hire an outside consultant. This law is not addressed in the proposal and is particularly problematic in light of the alleged target population.

Navigator Response

All Navigator Schools employees participate in yearly trainings to ensure a safe environment for students and staff. The trainings include, but are not limited to:

- Mandated Reporter, Child Abuse and Neglect
- Drug Free Workplace
- First Aid
- Sexual Harassment: Policy and Prevention (all management)
- Other trainings pertaining to specific positions

45. The Emergency Operations Plan does not meet the standards set by the County Grand Jury. The Charter School must articulate a plan that uses the Standardized Emergency Management Systems (SEMS) as detailed in the California Emergency Services Act Section 8607 and the supporting California Code of Regulations.

The Comprehensive School Safety Plan is inadequate. The Petition's proposed Drill schedules does not include a clear plan for evacuations (i.e., meeting places are not identified in the materials provided).

The Petition does not include a clear plan in terms of Fire Extinguisher maintenance and safety, i.e., monthly checks and annual recharging.

Navigator Response

Once the Watsonville Prep School charter is approved by the Pajaro Unified School District, details will be formalized fulfilling the required components of a Comprehensive School Safety Plan as defined by California Education Code (EC) Sections 32280-32289 together with all other pertinent laws.

Prior to charter approval and Watsonville Prep School site location is determined, a comprehensive school safety plan written and developed by the School Site Council (SSC) or a Safety Planning Committee made up of principal/ designee, teacher, parent of child who attends the school, classified employee, others is not possible.

The Watsonville Prep School Comprehensive School Safety Plan will include but is not limited to those defined in the following California Department of Education checklist:

<https://www.cde.ca.gov/ls/ss/vp/documents/schoolsafetyplanchklist.pdf>

Additionally, the Watsonville Prep School Comprehensive School Safety Plan will include the school's emergency crisis response plan in alignment with the Standardized Emergency Management Systems (SEMS) (as required by the Petris Bill, California Government Code Section 8607) as well as the National Incident Management System (NIMS), established in the wake of 9/11 as part of the Homeland Security Act of 2002 and subsequent Homeland Security Presidential Directive (HSPD 5). The Watsonville Prep Comprehensive School Safety Plan will be developed with the Santa Cruz County Office of Education, the Santa Cruz County Safe Schools Consortia, and the Pajaro Valley Unified School District to ensure uniform and coordinated response plans.

Moreover, the Watsonville Prep School Comprehensive School Safety Plan will be aligned and integrated with the County Emergency Management Plan, which incorporates Homeland Security Priorities, National Incident Management System and California's Standardized Emergency Management System use of Incident Command Systems under a Uniform Command protocol.

The Watsonville Prep School Comprehensive School Safety Plan will include ongoing health safety facilities reviews, required monthly and annual fire and life safety systems maintenance and reviews, fire and earthquake drill schedules, fire and earthquake drill procedures, and detailed evacuation plans to safe areas based upon the final determination of the Watsonville Prep School site location.

The Watsonville Prep School Comprehensive School Safety Plan will be updated annually to meet emerging needs and legislative requirements.

46. *The Petition does not provide a reasonably comprehensive description of legally permissible admissions policies. Petitioners state that admissions preference will be given to those living*

within the City of Watsonville city limits, despite the fact the PVUSD serves students in other areas such as Monterey County and Aptos.

Navigator Response

The District's finding inexplicably appears to overlook the fact that the WPS charter petition does give an admission preference to residents of the District, per the requirement of Education Code Section 47605(d). The finding neglects to mention that Section 47065(d) does not specify how much preference District residents must receive. By including this admission preference, WPS has met the applicable legal requirement.

The District's assertion that an admission preference for residents of Watsonville is baseless, as evidenced by the lack of legal citation. Place of residence is not a protected class, and no law prohibits this preference. WPS seeks to provide an admission preference for students who reside in Watsonville to provide an equitable educational program of the highest quality to the most underserved students in PVUSD.

47. In the description of the Discipline: Non-Discretionary Expellable Offenses: 48915 (C), the Petition address the possession of a firearm (1) and explosives (5), but does not mention the other three (3) mandatory expellable offenses - brandishing a knife (2), selling a controlled substance (3) and sexual battery or assault (4).

Navigator Response

Education Code Section 48915 does not apply to charter schools, but the federal Gun-Free Schools Act does, which WPS has complied with.

48. In the description of the suspension process, there is no indication of interventions before the suspension process begins, such as Restorative Justice, PBIS, counseling, and or positive conferencing with parent, student, teacher and/or administration.

Navigator Response

Navigator Schools adopted PBIS three years ago as an **essential** element of an MTSS framework adopted by GPS and HPS. The purpose of PBIS is to provide students with clear behavioral expectations in all settings related to school values. Students receive positive behavior points as part of the PBIS Rewards system. Within the PBIS model, a tiered discipline matrix provides students and staff with guidance toward positive discipline actions that are designed to be restorative. Each campus has counseling services, parent education modules, and strong student study teams that understand the importance of PBIS and MTSS.

49. *The description of the expulsion process fails to mention a Student Discipline Review (SDR) meeting in which a hearing can be stipulated/waived. Such a process offers students the ability to get back in school sooner, instead of waiting for the 10 days for a hearing and then board approval. Students can be out of school for 4-6 weeks without the option to have a [sic] SDR.*

Navigator Response

In addition to describing the many components of academic and behavioral supports for students, the WPS MTSS Procedural Guide will include language describing a Student Discipline Review (SDR) meeting in which a hearing can be stipulated or waived. WPS is committed to having students back in school and learning as soon as possible.

50. *The Rehabilitation Plans for students lack clarity. Although the Petition states that students “may” re-apply after they have completed the requirements for expulsion, the Petition is unclear as to how the application will be reviewed and finally determined.*

Navigator Response

A rehabilitation plan for students, as part of a procedural guide within the MTSS Procedural Guide documents, will contain details on how students can re-apply after completing the requirements for an expulsion.

51. *The Petition lacked any evidence of or discussion regarding a positive school climate with tiered support systems in place under the discipline section, including enhanced staff development on these issues or alternatives to out of school suspensions.*

Navigator Response

The Petition addresses the School’s commitment to an MTSS framework which includes tiered support systems in both academics and behavior. We were recently awarded a grant, Scaling Up Multi-Tiered Systems of Support (SUMS), to help us continue to ensure our tiered systems of support are robust and address all aspects of academics, behavior, and social emotional skills.

52. *The Petition does not contain a comprehensive bullying policy or bullying prevention methods, such as student meetings, monitoring school-sponsored networks, parent education, special programs, and/or reporting systems.*

Navigator Response

A draft comprehensive anti-bullying policy is under review for submission to the Navigator Schools Board in June 2018. In addition to the policy, specific work on improving our MTSS framework includes the provision of more tiered supports and wrap-around services for families with the intention of increasing positive behaviors and reducing bullying incidents. The PATHS Curriculum, an SEL program implemented during dedicated community meeting times, includes anti-bullying strategies. Bullying incidents are documented and reported in Illuminate, our online student information system.

END OF DOCUMENT



SiliconSchools

827 Broadway, Suite 300 • Oakland, CA 94607 • www.siliconschools.com

May 18, 2018

Kevin Sved and Andrea Hernandez
Navigator Schools
650 San Benito St. Suite 230
Hollister, CA 95023

Dear Kevin and Andrea,

We are pleased to share that the Silicon Schools Fund has approved an investment in Navigator Schools' new school, Watsonville Prep, opening in the fall of 2019.

We have approved a grant of up to \$800,000. The first payment is for \$100,000, with the possibility to receive up to an additional \$100,000 once the charter has been approved, \$300,000 once the school has opened (fall 2019), \$200,000 in the second year of school operations (fall 2020), and \$100,000 in the third year of school operations (fall 2021). The purpose of this initial grant is to provide seed funding for this school.

Our portfolio is collectively striving to discover innovations that personalize learning and create proof points of what is possible. We are guided in this work by three key goals:

1. Create schools that achieve amazing outcomes for students on California public funding
2. Discover innovative, high-quality blended learning models and solutions
3. Provide leadership to the blended learning sector by sharing the knowledge learned and demonstrating what is possible through personalized learning

Future funding from Silicon Schools will be contingent upon meeting the mutually agreed upon grant accountability metrics, fulfilling the three goals above, and living our values of innovation, knowledge transfer, and strong student outcomes. To accept this grant, please sign the attached term sheet and wire transfer form, and return these forms to us within two weeks. If you have any questions about the remaining steps in this process or the timeline, please contact me or Caitrin Wright.

Thank you for your great work. We are pleased to continue to support your efforts.

Sincerely,

Brian Greenberg
CEO, Silicon Schools Fund



GRANT AGREEMENT
Silicon Schools Fund and Navigator Schools

Grantee: Navigator Schools

Grantee Representative: Kevin Sved, CEO, Navigator Schools

Purpose of Grant: To provide funding for the operations of Navigator Schools' new school, Watsonville Prep, opening in the fall of 2019.

Date Approved: April 2018

Grant Amount: \$100,000

Payment Date: May 2018

Terms:

Silicon Schools Fund (Grantor) believes that a grant to Navigator Schools (Grantee) for the purposes, and on the terms and conditions, stated below in this Agreement will further Silicon Schools Funds' charitable purpose by designing and launching a new school that creates innovations in how students learn and how school is structured.

Grantor and Grantee agree to the following terms and conditions:

- a. **Required Charitable Purpose and Specific Uses of Grant.** Grantor is making this grant to support Navigator Schools' new school, Watsonville Prep. All grant funds shall at all times be held and used solely for the charitable project or purpose and specific use described above, and Grantee shall repay to Grantor any portion of the amount granted which is not distributed for that specific use. Any changes in the purposes or use for which grant funds are spent must be approved in writing by the Grantor before implementation.
- b. **Prohibited Uses.** In addition to the above-described specific restrictions, Grantee shall not use any portion of the funds granted herein, or any income therefrom:
 - a. To undertake any activity for any purpose other than religious, charitable, scientific, literary, or educational;
 - b. To cause any private inurement or improper private benefit to occur, or to take any other action inconsistent with Section 501(c)(3) of the Internal Revenue Code;
 - c. To carry on propaganda, or otherwise attempt to influence legislation;
 - d. To influence the outcome of any public election or to carry on, directly or indirectly, any voter registration drive.



- c. **Accountability metrics.** Grantee will work to meet the accountability metrics (exhibit A) that have been jointly arrived at between the Grantee and Grantor.
- d. **Community engagement.** Grantee will be a vibrant member of the Silicon Schools Fund community and live its values of providing innovative leadership, sharing learnings, and delivering great outcomes on public funding.
- e. **Reporting by Grantee.** Grantee will provide a verbal update on the progress toward achieving the grant's purpose within a month of receiving charter approval.

Potential payment date	Report due date
May 2018 (\$100,000)	Verbal update due within a month of charter approval
Upon charter approval (\$100,000)	October 1, 2019
December 1, 2019 (\$300,000)	October 1, 2020
December 1, 2020 (\$200,000)	October 1, 2021
December 1, 2021 (\$100,000)	October 1, 2022

- f. **Notice of changes.** Grantee shall notify Grantor immediately of any change in Grantee's non-profit status, key personnel essential to the ongoing administration of the organization or program, or funding that may impair the ability of Grantee to fulfill its obligations under this Agreement. Any significant changes, additions or deletions to any part of the program goals, objectives, activities, outcomes, timetable, or budget as originally approved must be requested in writing by Grantee and approval, if given, will be indicated in writing by Grantor. If there is any question as to the significance of a particular change, please contact Grantor.
- g. **Indemnification.** Grantee hereby irrevocably and unconditionally agrees, to the fullest extent permitted by law, to defend, indemnify, and hold harmless Grantor, its officers, directors, trustees, employees, and agents, from and against any and all claims, liabilities, losses, and expenses (including reasonable attorneys' fees) directly, indirectly, wholly, or partially arising from or in connection with any act or omission of Grantee, its employees, or agents, in applying for or accepting the grant, in expending or applying the funds furnished pursuant to the grant or in carrying out the program or project to be funded or financed by the grant, except to the extent that such claims, liabilities, losses, or expenses arise from or in connection with any act or omission of Grantor, its officers, directors, trustees, employees, or agents.
- h. **Remedies.** In the event that Grantee violates or fails to carry out any provision of this Agreement, Grantor may, in addition to any other legal remedies it may have, refuse to make any further grant payments to Grantee, and Grantor may demand the return of all or part of the unexpended grant funds, which the Grantee shall immediately repay to Grantor.
- i. **Governing Law.** This Agreement shall be construed in accordance with, and governed by, the laws of the State of California.



- j. **Entire agreement; amendments and waivers.** This Agreement shall supersede any prior oral or written understandings or communications between the parties and constitutes the entire agreement of the parties with respect to the subject matter hereof. This Agreement may not be amended or modified, except in a writing signed by both parties hereto.

Silicon Schools Fund is excited to continue our partnership with Navigator Schools and we look forward to seeing your work evolve.

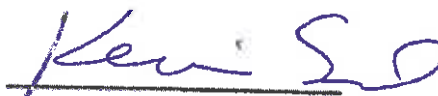
Upon signing this contract, the undersigned agree to the terms of this agreement.



Brian Greenberg
CEO, Silicon Schools Fund

5/21/18

Date



Kevin Sved
CEO, Navigator Schools

5-21-18

Date



CHARTER SCHOOL AUTHORIZATION

It is the objective of the County Board of Education (CBE) that teachers, parents, pupils and community members may petition the CBE to approve a charter school, and that the CBE shall review such petitions in accordance with the letter and spirit of the law. This policy shall also pertain, as applicable, to petitions denied by the Governing Board of a school district and subsequently submitted to the Santa Cruz County Office of Education (SCCOE).

The CBE encourages SCCOE administrators to work cooperatively with parents, teachers, students, community members, and principals in their efforts to design Charter Schools to improve student learning.

These schools shall operate under the provisions of their charters, specific state and/or federal laws, Title 5, California Code of Regulations adopted by the State Board of Education, and general oversight of and agreements with the chartering authority.

While maximizing operational flexibility, the charter school petition shall include compliance-based components or other provisions mandated by law. The County Superintendent of Schools shall establish administrative regulations for the process of submission, review, evaluation, and preparation of written findings for a charter petition submitted to the CBE prior to CBE action. The administrative regulations shall include:

- Specific details for the granting or denying of a charter petition.
- The process for submitting a charter petition.
- Guidelines to determine if a charter petition is consistent with the intent of the law and sound educational practice to accomplish the goals and objectives of the Charter School Act.
- Direction for performing a critical evaluation of the soundness of the proposed educational program and the likeliness of its successful implementation.
- A process to ensure sound fiscal solvency and procedures.
- A plan for effective parental involvement in curricular and extra-curricular (school related) activities.

The CBE shall ensure that any approved charter contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems, multiple measures for evaluating the educational program, and regular reports to the CBE.

The CBE believes that the continuing operation of a charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning, including student achievement for all numerically significant student subgroups served by the charter school.

Denial of Petition

A charter petition shall be denied only if the CBE presents written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605)

- The charter school presents an unsound educational program for the students to be enrolled in the charter school.
- The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- The petition does not contain the number of signatures required.
- The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
- The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).

The CBE shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll disabled students who reside outside the special education local plan area in which the district participates. (Education Code 47605.7, 47647)

Further, the CBE shall deny any petition to authorize the conversion of a private school to a charter school or that proposes to serve students in a grade level that is not served by the SCCOE, unless the petition proposes to serve students in all the grade levels served by the SCCOE. (Education Code 47602, 47605; 5 CCR 11965)

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

17078.52-17078.66 Charter schools facility funding; state bond proceeds

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

41365 Charter school revolving loan fund

42238.51-42238.53 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47640-47647 Special education funding for charter schools

47650-47652 Funding of charter schools

51745-51749.3 Independent study

53300-53303 Parent Empowerment Act

56026 Special education

56145-56146 Special education services in charter schools

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

CODE OF REGULATIONS, TITLE 5

4800-4808 Parent Empowerment Act

11700.1-11705 Independent study

11960-11969 Charter schools

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

6316 Program improvement

7223-7225 Charter schools

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2009

Charter School Facilities and Proposition 39: Legal Implications for School Districts, 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample Copy of a Memorandum of Understanding

Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program, July 2004

The Impact of the New Title I Requirements on Charter Schools, July 2004

WEB SITES

CSBA: <http://www.csba.org>

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

U.S. Department of Education: <http://www.ed.gov>

Originally Adopted: May 17, 2018

REVIEW OF CHARTER SCHOOL PETITIONS

The California Legislature established the Charter Schools Act of 1992 (Chapter 781, Statutes of 1992), as amended, to provide opportunities for students, teachers, parents, and community members to establish and maintain nonsectarian schools that operate independently from the existing school structure. Charter schools are considered part of the Public School System as defined in Article IX of the California Constitution and under the exclusive control of the officers of the public schools. [Education Code (E.C.) 47615 (a)(1)(2)]

The chartering authority for approving a charter school in a district is the governing board (the Board). In a county office of education, the chartering authority is the Santa Cruz County Board of Education (County Board).

Accordingly, in order to implement state law fully and fairly, to comply with the Santa Cruz County Office of Education's (SCCOE) Board Policy (BP) 0420.4 and to provide petitioner(s) with a thorough description of how the county shall meet its obligations under the law, the following are procedures to establish or renew a charter school:

I. HOW CHARTERS ARE ORIGINATED AND FUNDED

The law recognizes two “types” of charter school: 1) **Conversion** charter schools and 2) **Start-up** charter schools. In the vernacular, charters are sometimes referred to as “dependent” and “independent.”

- A. “**Dependent charters**” are typically created by **converting** an existing school (Conversion Charter). It usually remains closely affiliated with the authorizing school district or county office.
- B. “**Independent charters**” are typically **start-up** charters that are formed by parents, teachers, community members or charter management organizations (Start-Up Charter). Most of these charters operate as non-profit corporations.
- C. **Locally funded charter schools** receive their funds through the school district or county office that granted the charter. Most “**conversion**” charters receive their funding in this manner.
- D. **Direct funded charter schools** elect to receive their funding directly from the County Superintendent of the county in which the authorizing board is located, making them truly “**independent.**” [*Charter Schools: A Manual for Governance Teams*, CSBA 2009]

II. SOURCES OF CHARTER SCHOOL PETITIONS TO THE COUNTY BOARD

The County Board may receive charter school petitions in several ways:

- A. On appeal, if a local district board denies a petition application that was submitted to it for original approval. [E.C. 47605(j)(1)]

- B. On appeal, if the granting board denies a request for renewing the charter upon the termination of its contract period. [E.C.47607.5]
- C. On appeal, if the granting board revokes the charter before its scheduled termination date.[E.C. 47607(f)(1)]
- D. On a direct filing, if the intent is to establish a countywide charter: This charter school may operate at one or more sites within the geographical boundaries of the county to provide instructional services that are not generally provided by a county office of education. The County Board may only approve a countywide charter if it finds, in addition to other requirements to this section of Education Code, that the educational services provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter that operates in only one district in the county. [E.C. 47605.6(a)(1)]
- E. On a direct filing for a charter school that will serve pupils for whom the County Office would otherwise be responsible for providing direct education and related services. [E.C. 47605.5]
- F. By assignment from the State Board of Education. The SBE may, by mutual agreement, designate its supervisorial and oversight responsibilities for a charter school approved by the SBE to any local education agency in the county in which the charter school is located or to the governing board that first denied the petition. [E.C. 47605(k)(1)]

III. **SUBMITTING A CHARTER SCHOOL PETITION**

A. **Submission of Notice of Intent**

Charter school petitioners who wish to submit a petition to create a charter school or appeal a denial or revocation by the school district should file a **Notice of Intent** (see BP 0420.4 **Exhibit 1**) to the County Superintendent at least 2 weeks prior to submitting the charter petition. The County Superintendent or designee shall respond to the petitioners that the Notice of Intent has been received.

Note: Prior to the submission of the petition, the Santa Cruz County Superintendent of Schools (County Superintendent) may authorize a coordinator to work with the charter school petitioners in order to gather information about the proposal and suggest components that would align the petition with student learning and existing education code requirements. The County Superintendent may also appoint a coordinator and staff advisory committee to evaluate the substance of the petition once it meets the minimum eligibility requirements listed below.

B. Submission of Charter and Petition

The proposed charter shall be attached to the petition [E.C. 47605 (a)(3)], and must set forth all of the elements of a charter and include or refer to such information as will enable the county office staff and County Board to complete the review process and affirmations [E.C. 47605 (a)-(h) and (l)]. Petitioners are required to submit 15 copies of the charter petition to the County Superintendent.

It is the responsibility of the Petitioners to cross check paginations and to assure that page numbers are legible and are printed in correct sequence prior to submitting the petition.

IV. PRELIMINARY REVIEW

The SCCOE Staff will conduct a preliminary review in preparation for the formal receipt of the petition by the County Board. The purpose of the Preliminary Review is to confirm receipt of all required documents to determine if the charter and the petition are complete and legally compliant. The preliminary review will verify the following items:

- A.** The number of required petition signatures as stated by E.C. 47605 (a). (The signatures requirement set forth in E.C. 47605 (a) is not applicable to a charter petition renewal).
- B.** The charter is not a conversion of any private school to a charter school. [E.C. 47602 (b)]
- C.** Required Affirmations: Statement that school will be non-sectarian in its programs, admission policies, employment practices, and all other operations, will not charge tuition, and will not discriminate against any pupil on the basis of ethnicity, national origin, gender or disability.
- D.** Geographical and Site Limitations: Does the Petition propose to operate a single charter school within the county, a countywide charter, or in the case of a charter proposal initially denied by a local governing board, within the geographic jurisdiction of the school district to which the charter was originally submitted?
- E.** Effective Date: Does the Petition demonstrate that the charter school will commence operation by September 30 of its first year of operation?
- F.** Financial Reports: Does the Petition include all required financial reports per E.C. 47605 (g), namely: a proposed first-year operational budget including start-up costs; a cash flow statement; and financial projections for the first three years of operation?

- G.** Required Supplementary Information: Does the petition include the required supplemental information as stated by E.C. 47605 (d)(1) and (g).
- H.** If the charter is appealing a denial by a District, the preliminary review will include all the following requirements: [California Code of Regulations (CCR) Title 5 11967 (a) (1-4)]
 - 1.** A charter petition that has been previously denied by the governing board of a school district must be received by the County Board not later than 180 calendar days after the denial.
 - 2.** A complete copy of the charter petition as denied, including the signatures required by Education Code section 47605.
 - 3.** Evidence of the governing board's action to deny the petition (e.g. meeting minutes) and the governing board's written factual findings specific to the particular petition, when available, setting forth specific facts to support one or more of the grounds for denial set forth in E.C. 47605(b).
 - 4.** A signed certification stating that petitioner(s) will comply with all applicable law.
 - 5.** A description of any changes to the petition necessary to reflect the County Board as the chartering entity.

When the preliminary review is complete, the Petitioner will be notified of the next regularly scheduled County Board meeting when the County Board will formally receive the Petition. A public hearing will be scheduled within 30 days of this formal receipt date of the petition, or within 60 days for a countywide charter school.

If the charter petition is incomplete, the Petitioner will be notified in writing with specifications and reason (s) for rejecting the charter and petition. The Petitioner will then have to make arrangements to resubmit the Petition at a later regular scheduled County Board Meeting date.

V. IN-DEPTH REVIEW OF CHARTER PETITION BY THE SCCOE STAFF

After the Preliminary Review has been conducted and the petition is deemed complete the lead project coordinator/administrator and other SCCOE Staff members appointed by the County Superintendent and representing the different operational specialties, will perform the following in-depth review of the charter's documents:

- A.** Validate the petition signature requirements set forth in [E.C 47605 (a)(1)(A) & (B)]

- B.** Validate Geographic and Site Limitations. A classroom based charter petition submitted directly to the County Board, as authorized by E.C 47605.5 or 47605.6 may operate only within the territorial jurisdiction of the County Board. [E.C. 47605.1 (f)] However, petitions for independent study charters, whether characterized as home study or otherwise, may include pupils of Santa Cruz County and residents of immediately adjacent counties. [E.C. 51747.3]
- C.** Validate required affirmations. [E.C. 47605 (d) (1) and (g)]
- D.** Verify effective dates (start and ending dates of school and proposed school calendar).
- E.** Verify 15 required elements [E.C. 47605(b)(5)(A-O)]. For countywide charters, there are 16 required elements [E.C. 47605.6 (b)(5) (A-P)].
- F.** Verify required supplemental information per Ed Code 47605 (g):
 - 1.** A proposed first-year operational budget including start-up costs; a cash flow statement; financial projections for the first three years of operation; facilities to be used; administrative services to be provided. [E.C. 47605 (g)]
 - 2.** Proposed Operation and Potential Effects (Impact Statement).
- G.** Verify required Special Education/ SELPA Services [E.C. 47640-47647]
- H.** Verify that the charter school will provide the minimum number of minutes of instruction each fiscal year as required by E.C. 47612.5.

The required elements will be reviewed using a Petition Review Checklist (Matrix). The petition needs to contain a reasonably comprehensive description of the elements principally, that define educational goals, measurable student outcomes, student selection process, and the governance structure of the charter school and other components.

Petitions are required to include charter assurances that contain a listing of all state and federal laws, local laws and regulations that pertain to the applicant or the operation of the charter school, statewide standards and assessments, non discriminatory clauses as stated by California Education Code and Exclusive Public School Employer Declarations [E.C. 47611.5(b)(c)], among other items.

Petitions should also include information regarding the proposed operation and potential effects of the school, including, but not limited to, plans for facilities, fiscal allocation plan, and how special education services shall be provided. [E.C. 42130 & 42131]

VI. PUBLIC HEARING

No later than 30 days after receiving the complete charter school petition, or 60 days in the case of countywide charters, the County Board shall hold a public hearing on the provisions of the charter petition. The level of support for the petition by teachers employed by the county or district, other employees of the county or district, and parents shall be considered. Charter petitioners shall appear and provide testimony to the County Board. This hearing date, except for the countywide charters, may be extended 30 days if both parties agree to the extension. [E.C. 47605(b)]

VII. COUNTY BOARD DECISION DATE

Within 60 calendar days of receiving a valid petition, or 90 days for countywide charters, the County Board shall either grant or deny the request to establish a charter school. The date may be extended an additional 30 calendar days in either case upon the approval of both parties. [E.C. 47605(b) and 47605.6(b)]

SCCOE Staff shall continue to organize activities, complete the comprehensive analysis of the petition and present findings and recommendations to the County Board within the timeframes. The findings and recommendations should be submitted to the County Superintendent in sufficient time to be incorporated into the formal report that will be presented to the County Board.

VIII. COUNTY BOARD APPROVAL/DENIAL

The County Board shall either grant or deny the petition at a duly noticed public meeting. The County Superintendent shall officially communicate in writing the decision of the County Board to the charter school petitioners. If approved, the initial term of the charter may be granted up to 5 years.

If the County Board denies the charter petition, the communication shall include factual findings, specific to the information and materials that were submitted, setting forth specific facts under E.C. sections 47605(b)(1 through 5). For countywide charters, the references are E.C. 47605.6(b)(1 through 6). The specific facts are shown below.

The governing board of a district or the County Board shall not deny a petition for the establishment of charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- A. The charter school presents an unsound educational program for the pupils to be enrolled in a charter school.
- B. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

- C. The petition does not contain the number of signatures required by E.C. 47605(a), and E.C. 47605.6(a) for countywide schools.
- D. The petition does not contain an affirmation of each of the conditions described in E.C. 47605(d), and E.C. 47605.6(d) for countywide schools.
- E. The petition does not contain reasonably comprehensive descriptions of all of the elements described in E.C. 47605(b)(5)(A) through (O), and E.C. 47605.6(b)(5)(A) through (P) for countywide schools.
- F. **For countywide charter school petitions only:** Any other basis that the Board finds is justification of denial of the petition. [E.C. 47605.6(b)(6)]

IX. QUALIFYING/DISQUALIFYING CONDITIONS

The SCCOE staff will include any specific factual findings related to the following conditions:

- A. The County Board shall not grant any charter that authorizes the conversion of a private school to a charter school. [E.C. 47602 (b)]
- B. The County Board shall not approve any charter petition that proposes to serve students in a grade level that is not served by the SCCOE, (or district, if the Board is requested to hear an appeal of a charter school that was denied by a district) unless the charter petition proposes to serve pupils in all the grade levels served by the SCCOE or the school district (whichever is applicable) [E.C. 47605(a)(6)].
- C. The County Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll disabled students who reside outside the special education local plan area (SELPA) in which the SCCOE (or the district) participates. [E.C.47605.7]
- D. The County Board cannot deny granting the charter because (a) approval may cause financial hardship or (b) based on the actual or potential costs of serving “individuals with exceptional needs”, (“Exceptional needs” is defined pursuant to E.C.56026).
- E. In granting charter petitions, the County Board shall give preference to schools best able to provide comprehensive learning experiences of academically low-achieving students. [E.C.47605.6 (i)]
- F. Each charter school shall adhere to all laws establishing minimum age for public school attendance.

- G.** The charter petition must specify that the charter school shall hold harmless and indemnify the County Board and its officers, and the County Superintendent and his/her officers and employees from any claim or demand of whatever nature, including those based upon the negligence of the County Board and its officers, and the County Superintendent and his/her officers and employees brought by any person, institution, or organization.
- H.** The charter school, at its own cost, expense, and risk shall defend any legal proceedings that may be brought against the County Board and its officers, and the County Superintendent and his/her officers and employees, by any person, including any institution or organization, on any claim or demand of whatever nature arising out of the County Board granting a charter and shall satisfy any judgment that may be rendered against any of them. The County Board and the County Superintendent shall notify the charter school of the receipt of any such claims or demands.
- I.** If the County Board grants a charter for the establishment of a charter school to be operated by, or as, a nonprofit public benefit corporation, the County Board may exercise its option to appoint a single representative on the board of directors of the nonprofit public benefit corporation [E.C. 47604(b)]. It shall be the policy of the County Board that any school representative, who may sit on the charter school board of directors, be a non-voting member, avoiding any appearance of a conflict of interest or interfering with the authority of the charter school board.

X. MEMORANDUM OF UNDERSTANDING

Upon the approval of a charter petition, a Memorandum of Understanding (MOU) is developed between the charter school and the authorizing board to clarify financial and operational issues. An MOU is not required by charter law but is strongly recommended. It is usually negotiated during the petition approval process and, if approved by the County Board shall become an addendum to the charter.

The MOU provides an opportunity for the County Board to spell out anything that was not included in the original charter petition. It shall be reviewed annually and adjusted as necessary. The SCCOE may request to expand on the legally required charter elements or other required parts of the petition, or may request to include some of the items discussed below. The MOU serves as a binding legal agreement between the County Board, the SCCOE and the charter school to protect all parties. Therefore, it is important to identify any matters for which the county office wants to hold the petitioners accountable.

XI. AUTHORIZER'S RESPONSIBILITIES ONCE THE CHARTER HAS BEEN GRANTED

Once granted, the County Board, in addition to any other duties described in this Administrative Regulations (AR), is required to do all of the following with respect to each charter school under its authority:

- A. Identify at least one staff member as a contact person for the charter school.
- B. Visit each charter school at least annually.
- C. Ensure that each charter school under its authority complies with all reports required of charter schools by law.
- D. Monitor the fiscal condition of each charter school under its authority.
- E. Provide timely notification to the State Department of Education if any of the following circumstances occur or will occur with regard to a charter school for which it is the chartering authority:
 - 1. A renewal of the charter is granted or denied.
 - 2. The charter is revoked.
 - 3. The charter school will cease operation for any reason.

The cost of performing the duties described above shall be funded with supervisorial oversight fees collected pursuant to E.C. 47613. If the County Board authorizes a countywide charter school, the Board may enter into an agreement with a third party, as a condition to charter approval, to oversee, monitor, and report to the Board on the operations of the charter school. The expense that may be incurred will be borne by the charter school. [E.C.47605.6(c)]

XII. REPORTS TO THE COUNTY BOARD

A. Budget/Financial Annual Reports [E.C. 47604.33(a)]

Each charter school shall submit the following reports to the County Superintendent annually:

- 1. On or before July 1, a preliminary budget.
- 2. On or before December 15, an interim financial report reflecting changes through October 31.
- 3. On or before March 15, a second interim financial report reflecting changes through January 31.
- 4. On or before September 15, a final unaudited report for the full prior year.

The County Board shall use any financial information it obtains from the charter school, including, but not limited to, the reports required by this section, to assess the fiscal condition of the charter school.

The cost of performing the duties required by this section shall be funded with supervisorial oversight fees collected pursuant to E.C.47613.

B. Financial Audit Report

A charter school shall transmit a copy of its annual, independent, financial audit report for the preceding fiscal year to County Board, the Controller, and the California Department of Education by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the SCCOE. [E.C. 47605(m)]

C. Annual Report to the Board

Every year in May, the Charter Director shall present a report to the Board regarding the charter's Academic Performance and Fiscal Accountability.

XIII. CHARTER RENEWAL AND MATERIAL MODIFICATION OF AN APPROVED CHARTER

A. Charter School Renewals

1. Applications to renew or materially modify the charter shall include all the same information, be processed in the same way, and be subject to approval or denial on the same basis as proposals for new charter schools. Any renewal approval shall be for a period of five years from the expiration date of the charter. A material modification, when approved, shall not affect the expiration date of the charter as originally approved.
2. The Petitioner shall file a **Notice of Intent** (*see BP 0420.4 Exhibit 1*) to the County Superintendent at least 2 weeks prior to submitting the charter petition renewal.
3. Following submission of the *Notice of Intent*, the petitioner may submit the charter petition for renewal to the County Superintendent no later than six months prior to the date of charter expiration. The County Superintendent or designee shall respond to the petitioners that the **Notice of Intent** has been received.
4. Legal Requirements: Charter school renewals must comply with the standards and criteria in E.C. 47605 and 47607. A petition for renewal must include the following:
 - a. Documentation that the charter school meets at least one of the Renewal Criteria specified in E.C. 47607(b), (see below- Renewal Criteria per E.C. 47607 (b))
 - b. A copy of the renewal charter petition including a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed.

- c. The signature requirement set forth in E.C. 47605(a) is not applicable to a petition for renewal.
- d. Any material revisions of the provisions of the previously approved charter.

XIV. RENEWAL CRITERIA PER E.C. 47607(b)

The Charter school must meet at least one of the following criteria:

- A. (A) The school district or county office of education that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

(B) The determination made pursuant to this paragraph shall be based on all of the following:

- 1. Documented clear and convincing data
- 2. Pupil achievement data from assessments, including, but not limited to, the California Assessment of Student Performance and Progress (CAASPP).
- 3. Other information submitted by the charter school

(C) A chartering authority shall submit to the State Superintendent of Public Instruction copies of supporting documentation and a written summary of the basis for any determination made pursuant to this paragraph. The State Superintendent of Public Instruction shall review the materials and make recommendations to the chartering authority based on that review. The review may be the basis for a recommendation made pursuant to E.C. 47604.5.

(D) A charter renewal may not be granted to a charter school prior to 30 days after the charter school submits materials pursuant to this paragraph. Renewals and material revisions of charters are governed by the standards and criteria in E.C. 47605 and 47607. Whenever a charter is renewed or a material revision is granted, the charter petition must be revised to reflect any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

- B. Has qualified for the Dashboard Alternative School Status (DASS) pursuant to subdivision (h) of E.C. 52052.

Note: In rendering a decision for renewal, the county board shall consider the past performance of the school's academics, finances, and operations in evaluating the likelihood of the future success, along with future plan for improvement if any.

XV. Countywide Charter Renewals/Material Revisions

Countywide Charter Renewals are governed by the standards and criteria of E.C. 47605.6 and apply to charters granted under E.C.47605.6.

If a County Board denies a petition for renewal of a countywide charter school established under E.C. 47605.6, the petitioner may not elect to submit the petition for renewal of the countywide charter school to the State Board of Education.

An approved Countywide Charter School that proposes to establish operations at additional sites within the county must apply to the County Board for a material revision. The charter school must notify the school districts where those additional sites will be located. The Board will consider whether to approve the additional locations at a public meeting held no sooner than 30 days after notification has been made to those school districts.

XVI. Renewal Timeline/ Requirements

- A. Any petition submitted to SCCOE shall start with the **Notice of Intent** (see BP 0420.4 Exhibit1)
- B. In the spring of the 4th year of operation, the charter school will notify the SCCOE Staff regarding the upcoming renewal of their charter.
- C. The charter school shall submit its revised charter no sooner than October 1, of the 4th year.
- D. Once a petition for renewal is received, the same timeline as the petition review process for a petition on an appeal from a district will be followed. A public hearing shall take place no later than 30 days of submission and a final decision shall be made within 60 days (or can be extended an additional 30 days with written mutual agreement by the charter school and chartering authority.) For a **countywide charter**, no later than 60 days after receiving a petition the County Board shall hold a public hearing and render a decision within 90 days of receipt of the petition (or can be extended an additional 30 days with written mutual agreement by the charter school and chartering authority).
- E. There is no appeal from non-renewal of a countywide charter to the State Board of Education.

XVII. CHARTER PETITIONS THAT HAVE NOT BEEN RENEWED BY THE SCHOOL DISTRICT – SUBMISSION TO THE COUNTY BOARD OF EDUCATION

- A.** When the governing board of a school district denies a charter school's petition for renewal, the charter school may submit a petition for renewal to the County Board not later than 30 calendar days after the district governing board makes its written factual findings.
 - 1.** The County Board and the charter petitioner may extend this date by an additional 30 days only by written mutual agreement. A petition for renewal not submitted to the county board within this time shall be considered denied with no further options for administrative appeal.
- B.** A petition for renewal, whether submitted to the County Board as the chartering authority or on appeal from denial of the renewal petition by the local governing board, shall be considered by the county office of education upon receipt of the petition with all the requirements set forth in this subdivision.
 - 1.** Documentation that the charter school meets at least one criteria specified in E.C. 47607(b).
 - 2.** A copy of the renewal charter petition as denied by the local board, including a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed.
 - 3.** The signature requirement set forth in E.C. 47605 (a) is not applicable for petition renewal.
 - 4.** When applicable, a copy of the governing board's denial and supporting written factual findings, if available.
 - 5.** A description of any changes to the renewal petition necessary to reflect the County Board as the chartering agency.
 - 6.** When considering a petition for renewal, the County Board shall consider the past performance of the school's academics, finances, and operations in evaluating the likelihood of the future success, along with future plans for improvement if any.
 - 7.** The County Board may deny a petition for renewal of a charter school only if the County Board makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the grounds for denial set forth, as applicable, in E.C. 47605(b) and 47605.6(b), or failure to meet one of the criteria in E.C. 47607(b).

8. If within 60 days of a County Board's receipt of a petition for renewal, the County Board does not grant or deny the petition for the renewal of a charter school, the charter school may submit a petition for renewal to the State Board of Education (SBE).
9. The County Board and charter petitioner may extend this date by an additional 30 days only by **written** mutual agreement.

**XVIII. CHARTER PETITIONS THAT HAVE NOT BEEN RENEWED LOCALLY –
SUBMISSION TO THE STATE BOARD OF EDUCATION**

A. Charter School

When the County Board denies or takes no action on a charter school's petition for renewal, the charter school may submit a petition for renewal to the State Board of Education.

B. Countywide Charter School

If the County Board denies a countywide charter's request for renewal (Refer to section XV: Countywide Charter Renewals/Material Revisions), the petitioner may not appeal to the State Board of Education.

XIX. FAILING TO ACT ON CHARTER RENEWAL BY A DISTRICT GOVERNING BOARD

If within 60 days of its receipt of a petition for renewal, a district governing board has not made a written factual finding as mandated by E.C. 47605(b), the absence of written factual findings shall be deemed an approval of the petition renewal.

The district governing board and charter petitioner may extend this date by an additional 30 days only by written mutual agreement.

XX. OTHER CHARTER PROCEDURES

A. Material Revisions to an Approved Charter

A material revision is any revision made to the charter that has an impact on budget, change in program or facility, and was not specified in the original charter.

A material revision of the provisions of a charter petition may be made only with the approval of the County Board. The County Board may inspect or observe any part of the charter school at any time. (E.C. 47607 [a][1]).

All material amendments/revisions must contain a reasonably comprehensive description of any new requirements of charter schools enacted into law after the charter was originally granted or last renewed (E.C. 47607 [a][2]).

1. The charter school shall submit a written request to the County Board specifying the revised charter language. The County Board has the power to approve the revision, and consideration of the revision is governed by the standards and criteria in E.C. 47605 or 47605.6 for countywide charters.
2. The County Board shall agenda the request for consideration of approval, per usual procedures.
3. SCCOE staff shall review the requested material revision and shall evaluate it pursuant to E.C. 47605 or 47605.6 for countywide charters.

SCCOE Staff shall determine if the material revision would be an unsound educational program, if the revision would make the charter school demonstrably unlikely to succeed, if a reasonably comprehensive description of the revision is provided, if budget implications are adequate to the revision request, and if the material change is otherwise lawful.

XXI. APPEALS OF CHARTER PETITIONS THAT HAVE BEEN PREVIOUSLY DENIED BY A DISTRICT

In considering a charter petition previously denied by a school district, the County Board shall not limit the review to the reasons for denial stated by the school district, but shall conduct a new review and findings and report said findings as stipulated in this regulation.

- A. A charter school whose petition has been denied by the governing board of a school district must be received by the County Board no later than 180 calendar days after the denial. Any petition received more than 180 days after denial shall not be acted upon by the County Board. [5 CCR 11967(a)]
- B. When filing an appeal with the County Board for the establishment of a charter school, petitioners shall be required to provide the following:
 1. A complete copy of the charter petition as denied, including the signatures required by E.C. 47605.
 2. A copy of the school district's governing board's action of denial of the petition (e.g. meeting minutes) and the governing board's written factual findings specific to the particular petition, as required by E.C. 47605(b).
 3. A signed certification of compliance with applicable law.

4. An original charter petition and 15 copies of the charter petition with appropriate changes making SCCOE the authorizing entity. The petition shall include a description of any necessary changes to the petition to reflect the County Board as the chartering entity. It is the responsibility of the Petitioners to cross check paginations and to assure that page numbers are legible and are printed in correct sequence.
 5. Grade Level Limitations Statement: The petition shall include a statement in reference to the grade levels that are served by the district that originally denied it.
- C. The County Board is required to hold a public hearing within 30 calendar days, after officially receiving the petition during a regularly scheduled Board meeting. The petition shall satisfy the signature requirements as required by E.C. 47605. The purpose of the hearing is to determine the level of support for the proposed charter school from the petitioners, teachers, other employees, parents/guardians, and the public. The Board is not required to ask questions or make comments at this time.
- D. The County Board shall grant or deny the charter petition no later than 60 days after receiving the complete charter petition. These dates may be extended 30 days if the petitioner(s) and the County Board agree to the extension.

The initial charter may be granted for a period not to exceed 5 years, and renewed one or more times. Each renewal shall be for a period of 5 years. [E.C. 47607(a)(1)]

If the petition is denied, the petitioners may file an appeal for the establishment or renewal of a charter school to the State Board of Education. [E.C. 47605(j)(1)] If the County Board upholds a revocation of a charter school, the appeal reference is E.C. 47607(f)(3). Denial of countywide school petitions cannot be appealed to the State Board. [E.C. 47605.6(k)]

If either the County Board or the State Board fails to act on a petition within 120 days of receipt, the decision shall, thereafter, be subject to judicial review. [E.C. 47605(j)(4)]

XXII. APPEALS OF CHARTER SCHOOLS WHOSE CHARTERS HAVE BEEN REVOKED

A school district charter whose charter has been revoked may appeal the revocation decision within 30 days to the County Board. [E.C. 47607(f)(1)]

- A. A charter may be revoked by the granting authority if the authority shows substantial evidence that the charter did any of the following: [E.C. 47607(c)]
1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

2. Failed to meet or pursue any of the pupil outcomes identified in the chapter.
 3. Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
 4. Violated any provision of law.
- B.** Prior to revoking a charter, the chartering authority shall notify the charter school of any violation listed above and give the school a reasonable opportunity to remedy the violation, unless the chartering authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. [E.C. 47607(d)]
- C.** The chartering authority shall provide a written notice of intent to revoke the charter if, after the expiration of a reasonable time, the charter school failed to remedy the violation. No later than 30 days after providing the written notice of intent to revoke, the chartering authority shall hold a public hearing during a regular board meeting on the issue of whether evidence exists to revoke the charter. [E.C. 47607(e)]
- D.** No later than 30 days after the public hearing, or 60 days in the case of a countywide charter school, unless both parties agree to a 30 day extension, the chartering authority shall issue a final decision to revoke or decline to revoke. A revocation notice shall include a written statement of the factual findings, supported by substantial evidence specific to the charter school. [E.C. 47607(e)]
- E.** The County Board may reverse the revocation decision if the County Board determines that the findings made by the chartering authority are not supported by substantial evidence. The County Board may also review the process followed by the district board to determine if the appropriate procedures were followed.
- If the County Board does not issue a decision within 90 days of receipt or upholds the revocation, the school district may appeal the reversal to the State Board of Education. [E.C. 47607(f)(3)]
- If the County Board revokes a charter for which it is the chartering authority, the charter school may appeal the revocation decision within 30 days, to the State Board. [E.C. 47607(g)] The exception is that a countywide charter school revocation cannot be appealed to the State Board of Education. [E.C. 47605.6(k)]
- F.** If the State Board reverses the revocation on appeal, the agency that granted the charter shall continue to be regarded as the chartering authority. [E.C. 47607(h)]

Legal Reference:

EDUCATION CODE

11967(a)(1-4); 42130; 42131; 47602(b); 47604(b); 47604.5; 47604.33(a); 47605; 47605(a-p); 47605.1(f); 47605.5; 47605.6; 47605.6(a); 47605.6(b); 47605.6(c); 47605.6(d); 47605.6(h); 47605.6(k); 47605.7; 47607; 47607(a-h); 47607.5; 47611.5(b-c); 47613; 47615(a)(1-2); 51747.3; 52026; 52052(h)

CALIFORNIA CODE OF REGULATIONS

5 CCR 11967(a)(1-4)

STATUTES

Charter 781
Statutes of 1992

Approved: May 17, 2018

Notice of Intent to Submit Charter School Application

PETITION FOR ESTABLISHMENT OF A CHARTER SCHOOL

- ☐ Appeal submission following denial by a district DATE STAMP
- ☐ Petition submitted directly to the County Board
(Countywide Charter or County Operated Charter)
- ☐ Charter Renewal Petition/Last Renewal: _____

CHARTER SCHOOL INFORMATION

Name of proposed charter school: _____

General location (including district) of proposed charter school: _____

Projected grade levels: _____

Projected Enrollment: _____

Goal date for opening school: _____

LEAD PETITIONER CONTACT INFORMATION

Name of lead petitioner: _____
(Please attach biographical information)

Address (City, State, Zip): _____

Daytime Phone Numbers: _____ Fax: _____

Email Address: _____

CHARTER DEVELOPMENT TEAM MEMBERS

_____	_____	_____
_____	_____	_____
_____	_____	_____

CERTIFICATION

Print Name: _____ Signature: _____ Date: _____

Print Name: _____ Signature: _____ Date: _____

Print Name: _____ Signature: _____ Date: _____

OFFICE USE ONLY

Print Name: _____ Signature: _____ Date: _____