

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

Special Board Meeting  
March 7, 2019  
Time: 4:00 p.m.  
Board Room

## **AGENDA**

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

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

### **2.0 PLEDGE OF ALLEGIANCE**

President Sales 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 specifically listed 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 the item described for consideration by the Board. Each speaker, on any specific topic, may speak up to **two (2) minutes** unless otherwise limited or extended by the President. Please refer to item, *Please Note*, on the last page of this agenda.

### **5.0 PUBLIC HEARINGS, NEW BUSINESS AND ACTION ITEMS**

#### **5.1 Integrative Leadership Academy (Resolution 19-01 or 19-02)**

The Santa Cruz County Board of Education will be asked to either approve (Resolution #19-01) the creation of a charter school in San Lorenzo Valley (Integrative Leadership Academy) or deny the petition from Integrative Leadership Academy (Resolution #19-02).

Presenter: Jivan Dhaliwal, Associate Superintendent, Educational Services

Call for motion: Dana Sales (President)

**6.0 SCHEDULE OF MEETINGS AND COMING EVENTS**

March 21, 2019  
4:00 p.m.

Regular Meeting of the Board of Education  
400 Encinal St., Santa Cruz CA 95060

**7.0 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 Sage Leibenson by telephone at (831) 466-5901. 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 Sage Leibenson por teléfono al numero (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 Sage Leibenson, Administrative Aide to the Superintendent, 400 Encinal St., Santa Cruz, CA 95060, (831) 466-5900.



## SANTA CRUZ COUNTY BOARD OF EDUCATION

### AGENDA ITEM

**Board Meeting Date:** March 7, 2019

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**Action**



**Information**

**TO:** Dr. Faris Sabbah, County Superintendent of Schools

**FROM:** Jivan Dhaliwal, Associate Superintendent Educational Services

**SUBJECT:** Integrative Leadership Academy (Resolution 19-01 or 19-02)

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### BACKGROUND

On January 7, 2019, the Santa Cruz County Board of Education ("County Board") received a charter petition ("Petition") from Dr. Nicky Ramos-Beban ("Petitioner"), subsequent to the the January 4, 2019 denial of the Petition by the San Lorenzo Valley Unified School District ("District").

Consistent with required elements and legal criteria, a team of Santa Cruz County Office of Education ("SCCOE") staff members representing all operational specialties and assisted by legal counsel (collectively, the "Review Team") conducted an in-depth review of the Petition and supporting documents. Recognizing that Education Code section 47605(b) provides that in reviewing petitions for the establishment of charter schools, the chartering authority shall be guided by the intent of the Legislature, the Review Team worked to ensure its review was robust, unbiased, and compliant with California law.

### FUNDING IMPLICATIONS

The funding implications are unknown as they are contingent upon the Memorandum of Understanding between the Santa Cruz County Office of Education and the Petitioner, which would need to be drafted and executed should the charter petition be approved.

## **RECOMMENDATION**

Staff makes the following recommendations:

1. That the Petition be denied for reasons including, but not limited to, failure of the Petitioner to present a sound educational program.
2. That the Petition be denied because it is demonstrably unlikely that the Petitioner will successfully implement the program set forth in the Petition.
3. That the Petition be denied because it does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605(b)(5).

In order to deny the Petition on the grounds set forth above, Education Code section 47605(b) requires the County Board to make “written factual findings, specific to the particular petition, setting forth specific facts to support one or more” grounds for denying the Petition. Staff recommends that the Board adopts Staff’s final Findings of Fact as its own, should the Board decide to deny the Petition.



## **Exhibit A**

### **STAFF REPORT AND PROPOSED FINDINGS OF FACT OF THE INTEGRATIVE LEADERSHIP ACADEMY CHARTER SCHOOL PETITION**

**March 7, 2019**

#### **Prepared by Charter School Review Team**

- Dr. Faris M. Sabbah, County Superintendent of Schools
- Mary Hart, Deputy Superintendent, Chief Business Officer
- Jivan Dhaliwal, Associate Superintendent, Educational Services
- Jean Gardner, Senior Director, Fiscal Services
- Kris Stanga, Senior Director, District Support and Leadership
- Jessica Little, Senior Director, North County SELPA
- Troy Cope, Senior Director, Human Resources
- Sofia Sorensen, Multilingual Achievement Coordinator
- Dr. Cristine Chopra, Executive Director, S4C
- Nehal Pfeiffer, STEM Coordinator
- Devon B. Lincoln, Legal Counsel

## **EXECUTIVE SUMMARY**

On January 7, 2019, the Santa Cruz County Board of Education (“County Board”) received a charter petition (“Petition”) from lead petitioner Nicky Ramos-Beban, Ph.D. (“Petitioner”) for the formation of Integrative Leadership Academy subsequent to the January 4, 2019 denial of the Petition by the San Lorenzo Valley Unified School District (“District”).

Consistent with required elements and legal criteria, a team of Santa Cruz County Office of Education (“SCCOE”) staff members representing all operational specialties and assisted by legal counsel (collectively, the “Review Team”) conducted an in-depth review of the Petition and supporting documents. Recognizing that Education Code section 47605(b) provides that in reviewing petitions for the establishment of charter schools, the chartering authority shall be guided by the intent of the Legislature, the Review Team worked to ensure its review was robust, unbiased, and compliant with California law.

Based on this review, the Review Team has concluded that the Petition is deficient, as outlined below, and recommends that the County Board denies the Petition.

## **BACKGROUND**

On January 7, 2019, the Santa Cruz County Board of Education received the Petition submitted by lead petitioner, Nicky Ramos-Beban, Ph.D. (“Petitioner”) subsequent to the denial of the Petition by the San Lorenzo Valley Unified School District on January 4, 2019. The County Board also reviewed the “Executive Summary and Analysis of Integrative Leadership Academy Charter Petition” adopted by the District’s Board of Trustees in its denial of the Petition.

Pursuant to Education Code section 47605(j), if the governing board of a school district denies a charter petition, the petitioner may submit the petition to a county board of education. If a county board of education does not grant or deny the petition within 60 days of receipt, the petitioner may submit the petition to the State Board of Education (“SBE”). If a county board grants the charter, it becomes the chartering authority and oversight agency for the charter school. (Ed. Code, §§ 47604.32, 47604.33.) If the county board denies the petition, then the petitioner may appeal to the SBE. (Ed. Code, § 47605, subd. (j)(1).)

In order to comply with the required timeline, the County Board will make a decision regarding this Petition at its meeting on March 7, 2019.

## **REVIEW PROCESS**

Education Code section 47605(j) provides that the County Board shall review the Petition pursuant to the same criteria that governed the District's initial review. (See Ed. Code, § 47605, subd. (b).) The County Board must receive a complete copy of the Petition as denied by the District. (Cal. Code Regs., tit. 5, § 11967, subd. (b)(1).) The County Board must also receive a copy of the District Board's findings on the Petition, setting forth the District Board's grounds for denial under Education Code section 47605(b). The County Board's review of this Petition will consider the District's findings, but is not limited to such findings. The County Board will conduct an independent and thorough review of the Petition pursuant to the criteria in Education Code section 47605(b).

As broad guidance, Education Code section 47605(b) provides that, in reviewing a petition for the establishment of a charter school, 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 the establishment of charter schools should be encouraged. Education Code section 47605(h) further charges that the governing board of a school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner as academically low achieving pursuant to the standards established under Education Code section 54032.

The County Board shall deny a petition for establishment of a charter school only if the County Board makes written factual findings, specific to the particular petition, setting forth facts to support one or more of six grounds for denial set forth in Education Code section 47605(b)(1)-(6). The six grounds for denial are:

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school;
2. The petitioner is demonstrably unlikely to successfully implement the program set forth in the petition;

3. The petition does not contain the number of signatures required;
4. The petition does not contain an affirmation of each of the conditions described in EC 47605(d); or
5. The petition does not contain reasonably comprehensive descriptions of all of the following fifteen required elements:
  - A. A description of the educational program of the school, designed, among other things, to identify those pupils whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in the educational program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.
  - B. The measurable pupil outcomes identified for use by the charter school.
  - C. The method by which pupil progress in meeting those pupil outcomes is to be measured.
  - D. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.
  - E. The qualifications to be met by individuals to be employed by the school.
  - F. The procedures that the school will follow to ensure the health and safety of pupils and staff.
  - G. The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.
  - H. Admissions requirements, if applicable.
  - I. The manner in which annual, independent, financial audits shall be conducted, in accordance with regulations established by the State Board of Education, and the manner in which audit exceptions and deficiencies shall be resolved.
  - J. The procedures by which pupils can be suspended or expelled.
  - K. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
  - L. The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.
  - M. A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.



- N. The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.
  - O. A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.
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.

Further, a charter school petition must also include a discussion of the impact on the chartering district, including: the facilities to be utilized by the school, the manner in which administrative services will be provided, potential civil liabilities for the chartering school district, and a three year projected operational budget. (Ed. Code, § 47605, subd. (g).)

The County Board's review is based on three sources of information: statute, state regulations and staff analysis. Education Code section 47605 sets forth the required elements of a petition; state regulations (the "Regulations") provide greater specificity regarding each of these requirements; and the staff team reviews and analyzes the required elements for formation of a charter school and provides the County Board with its report and findings. (Cal. Code Regs., tit. 5, § 11967.5 *et seq.*) The Regulations were developed for the SBE's review of petitions. They offer helpful guidance to county boards and school districts, as well as the SBE, regarding the evaluation of charter petitions.

Consistent with required elements and legal criteria, the Review Team conducted an in-depth review of the Petition and its supporting documents. Following this process, the Review Team compiled this Staff Report and Proposed Findings of Fact regarding the Petition ("Staff Report").

The Review Team has identified several deficiencies in the Petition that do not meet the requirements of Education Code Section 47605(b). The following Findings of Fact form the basis for the Review Team's recommendation of denial of the Petition.

## FINDINGS

As a preliminary consideration, the Review Team notes that the Legislature has expressed a preference for charter schools to be chartered by their local school districts. (See Ed. Code, § 47605, subd. (b).)

The Review Team has identified several deficiencies in the Petition through an analysis of: the educational program; student outcomes and progress measurements; fiscal and governance structures; student admissions and discipline; proposed facilities and operations; and labor and personnel issues. Based on this analysis, the Review Team has determined that the Petition is legally insufficient pursuant to the following findings:

- The Petition presents an unsound educational program;
- The Petitioner is demonstrably unlikely to successfully implement the program set forth in the Petition; and
- The Petition does not contain reasonably comprehensive descriptions of the fifteen required elements set forth in Section 47605(b).
  - The California Code of Regulations defines “reasonably comprehensive” as information that:
    - Is substantive and does not, for example, list topics with little elaboration;
    - Is specific to the charter petition being proposed—not to charter petitions generally;
    - For elements that have multiple aspects, addresses essentially all aspects and not just selected ones. (Cal. Code Regs., tit. 5, § 11967.5.1, subd. (g).)

The following Findings of Fact establish the basis for the Review Team’s recommendation of denial.

1) The Charter School presents an **unsound educational program** for the pupils to be enrolled in the Charter School. (Ed. Code, § 47605, subd. (b)(1).)

a) The Petition proposes an overly-ambitious educational model that integrates Project-Based Learning (“PBL”); Science, Technology, Engineering, Arts, and Math (“STEAM”); the Next Generation Science Standards (“NGSS”); meditation; Life Skills; and other methodologies into the core curriculum. (See *generally* Element A.) A significant portion of the Petition is dedicated to describing the lofty ideals motivating this instructional program, promising that ILA will “foster[]

peak learning and peak performance,” facilitate a “low stress and joyful learning environment[],” and cultivate “holistic development.” (*Id.* at p. 3.) However, the practical questions underlying the implementation of such a varied educational model remain largely unanswered. The Petition neglects to address how, specifically, day-to-day instruction will integrate these educational philosophies and methodologies and convey them to students as a coherent whole. Though the Petition offers a few examples of project-based, STEAM-centered activities, it ultimately fails to explain how Petitioner will deliver a successful, year-long curriculum that will facilitate pupil achievement.

b) The Petition’s description of the proposed educational program also includes a number of inconsistencies. For example, the Petition begins by stating that ILA’s “core features” include “[s]mall school and small class size,” “Project Based Learning,” an “Advisory program,” and “Teacher Professional Development.” (*Id.* at p. 1.) Conspicuously, this section fails to mention STEAM, which the Petition later describes as one of its bedrock educational philosophies. Such discrepancies bespeak a haphazard educational vision.

2) The Petitioner **is demonstrably unlikely** to successfully implement the program set forth in the Petition. (Ed. Code, § 47605, subd. (b)(2).)

a) The Review Team conducted a thorough study of the financial documents included in the Petition. Among other things, that review raised significant concerns regarding the Charter School’s initial and ongoing reliance on “soft money” or donations throughout the term of the Charter. Donations make up 46.9% of the first-year budget, 28.1% of the second-year budget, 22.9% of the third-year budget, 18.8% of the fourth-year budget, and 15.7% of the fifth-year budget. (Appendix B.) Without these grants and donations, the Charter School would be insolvent. Such reliance on fundraising, which is often unpredictable and fraught with complications, casts doubt on the long-term sustainability of the Charter School.

i) The soft money that will purportedly sustain the Charter School for its first five years of operation—totaling \$2.1 million—is currently held in an escrow account subject to an agreement with the Schwartz Family Foundation (“Escrow Agreement”). (Appendix B1.) The Escrow Agreement provides, in relevant part, that “[i]f the [P]etition is denied by both the Santa Cruz County Board of Education and the State of California (if such petition is submitted thereto), all the Escrowed Funds shall be

refunded to Schwartz.” (*Ibid.*) Further, the Escrow Agreement provides that “[i]f the [P]etition is not approved by the Santa Cruz County Board of Education nor by the State of California (if such petition is made) by April 1, 2019, all Escrowed Funds and earnings thereon shall be refunded.” (*Ibid.*) Thus, should the County Board deny the current Petition, and should Petitioner elect to appeal this denial to the SBE, the escrowed funds could be subject to revocation before it could obtain a decision from the SBE. In sum, though we recognize that the Escrow Agreement may be subject to amendment by the parties, as it currently stands, the provisions of the agreement illuminate the precarious nature of the Charter School’s fiscal circumstances. As an overarching point, such significant reliance on donations and other conditional funding suggests an unstable and likely unsustainable business model.

b) The Charter School budget employs a variety of unrealistic assumptions to manufacture projections wherein the Charter School becomes fiscally solvent. This method of budgeting is impractical, as it fails to account for suboptimal fiscal outcomes and unforeseen obstacles. Relying on such idealistic, projections could subject the Charter School to significant financial volatility.

i) The Charter School budget projects that 90% of students will purchase \$5 lunches every day. (Appendix B.) It is unclear how Petitioner has determined in advance that nearly the entire student body will purchase lunches at this price on a daily basis—especially given that some students will likely be eligible for free or reduced-price meals.

ii) The Petition indicates that Petitioner intends to request District-provided facilities for years 2 through 5 of operation pursuant to Proposition 39. (Miscellaneous Charter Elements, p. 3.) According to Proposition 39, the District is only required to provide facilities to charter schools with an in-District Average Daily Attendance (“ADA”) of 80. The Petition projects a starting total ADA of 85; it is unclear, however, what percentage of these students will reside within the District. (*Id.* at p. 1.) Further, in light of declining middle school enrollment within the District, and the fact that, in its prior petition, Petitioner projected an initial ADA of 75, it seems unlikely that a total ADA of 85 would yield an in-District ADA of at least 80. If Petitioner fails to meet this threshold, the Charter School will not qualify for Proposition 39 facilities, which will almost certainly adversely affect its budget in years 2 through 5.

iii) The budgeted allocation for technology and classroom equipment appears to be insufficient to support a successful STEAM program that incorporates PBL. (See Appendix B.)

iv) It is unclear how Petitioner will successfully implement its complex educational model while only employing four teachers during the Charter School's first year of operation. Given the scope of the proposed curriculum, implementing such a program with only four certificated teachers would require each teacher to possess expertise in the core curriculum areas as well as STEAM, PBL, the NGSS, Life Skills, and meditation. Further, the Petitioner plans to offer a starting teacher salary of \$55,000— which is well below the Santa Cruz County average of \$68,067—and has only budgeted a 3.9% teacher raise for the second year of operation, and a 2% teacher raise for each year thereafter. (Appendix B.) Additionally, ILA teachers will be expected to run after-school tutoring programs on a rotating basis. (Element A, p. 66.) Thus, teaching jobs at ILA appear to be less desirable than other teaching jobs, as they require longer hours for below-average pay. It therefore seems unlikely that Petitioner will be able to successfully recruit and retain teachers who are appropriately qualified to implement its educational program.

v) The budget likely underestimates many of the Charter School's projected expenses, including "Approved Textbooks, Materials and Educational Software" at \$250/ADA, "Custodial Supplies" at \$50/ADA, and Office Supplies at \$250/ADA. (Appendix B.) Further, for the first year of operation, the budget allocates an average of \$583 per employee per month for employee "Health & Welfare Benefits," which is almost certainly insufficient. (See *ibid.*)

vi) The budget does not account for fees associated with training staff to administer the English Language Proficiency Assessments for California ("ELPAC"). (See *ibid.*)

vii) The Petition states that "[i]n Year 1, ILA intends to hire a dedicated music teacher." (Element A, p. 50.) However, it is unclear if this is reflected in the budget. Given that the budget only accounts for 4 total teachers during the Charter School's first year of operation, it is unlikely

that one of those teachers will be entirely dedicated to music. If this is the case, then the Petitioner has not properly budgeted for a fifth teacher who will manage the music curriculum.

viii) The Petition includes an estimated “encroachment” expense of \$1,133 per unit of ADA, but it is unclear how Petitioner calculated this rate. (Appendix B.)

c) The Charter School does not have sufficient time to acquire appropriate facilities, modify and outfit such facilities with necessary equipment, hire and train teachers and staff, and attend to all other logistical concerns before its proposed opening date of September 2019. This is exemplified throughout the Petition as follows:

i) The Petition’s “Proposed Application, Public Random Drawing, and Admission Schedule” designates March 1, 2019, as the first day applications will become available online. (Element H, p. 3.) As the Petition will not be approved as of this date, the Charter School’s admissions timeline is already delayed.

ii) The Petition states that “ILA will develop a [music and art] program for all students in grades 6-8.” (Element A, p. 49.) Petitioner, seemingly, has not yet developed a music and art curriculum, and thus is not prepared to offer these classes in the fall.

iii) The Petition describes Petitioner’s intent to form partnerships within the local community. (See Element A, p. 32.) However, the Petition includes no letters of interest or commitment from any local businesses, or any other evidence that the Petitioner has sought out local partners who may facilitate the Charter School’s development.

d) According to its website, Petitioner simultaneously seeks to open a second school in San Francisco, which is projected to open during the fall of 2020. As the same leadership will ostensibly preside over both schools during their nascent stages, it is concerning that such leadership may lack the capacity to manage both schools at the same time. As such, the Charter School may be effectively left without necessary management and expertise during its second year of operation.

e) None of the proposed board members for the Charter School currently reside in Santa Cruz County. (See Appendix K.) A board that does not reside in the same county as the Charter School will be less familiar with the unique aspects of the local community, which will hinder its attempts to address local issues and conduct community outreach.

f) The professional development plan is not realistic. To open a new school with new staff and design all curriculum during a three week period in the summer, as indicated, including three days of PBL training, three days to map year-long curriculum, six days for STEAM unit planning and three days for advisory period content training is impracticable. (See Element A, pp. 84–85.) This raises concerns regarding the competency of the Charter School’s teachers, as they will be required to learn and master several complex educational methodologies in a short period of time.

i) The Petition’s professional development calendar indicates that teachers will not receive professional development regarding the instruction of English Learners until November, and will not receive professional development regarding the instruction of special education students until February. (*Id.* at p. 86.) As the Charter School’s proposed opening date is September, it is concerning that teachers, until they receive professional development in these areas, may not adequately serve members of these pupil subgroups.

ii) The professional development plan does not include meditation, which is one of the Charter School’s fundamental educational methodologies. Thus, Charter School teachers may be ill-equipped to instruct students regarding meditation practices.

iii) The Petition references a “STEAM Team” that Petitioner will hire to instruct Charter School teachers in the PBL and STEAM methodologies. (*Id.* at p. 85.) However, the Petition provides no detail regarding whether such instructors have actually been hired and specifically how they will enable Charter School teachers to implement these aspects of the curriculum.

iv) The Petition frequently mentions collaboration between mainstream teachers and “ELL and Special Education teachers.” (See, e.g., *id.* at p. 87.) However, it is unclear whether the Charter School will employ

teachers dedicated specifically to ELL and special education. It seems unlikely that such specialized teachers will be employed during the Charter School's first year of operation, as the school will retain only four teachers to accommodate the entire student body.

3) The Petition **does not contain** reasonably comprehensive descriptions of the fifteen required elements set forth in Section 47605(b)(5).

a) Educational Program

i) The Petition fails to sufficiently specify a target student population, stating merely that it will serve those families who seek an alternative, small-school environment. (Element A, p. 7.)

ii) The Petition offers inadequate supports for English Learners. Namely, the Petition fails to set out an English Learner curriculum and prescribes English Language Development ("ELD") instruction only for students who are classified as "Level 1" on the ELPAC. (See *id.* at pp. 57–64.) Further, the Petition does not sufficiently describe the curriculum materials to be used in ELD instruction, and does not identify who will administer the ELPAC—a task that requires particularized training—to Charter School students. (*Ibid.*)

iii) There are inconsistencies regarding the total number of instructional days. The Petition itself states that there will be 185 instructional days per school year, but the school calendar included in the appendices designates only 180. (*Compare id.* at p. 34, with Appendix C.)

iv) There are inconsistencies throughout the Petition regarding the requisite English Learner population that will prompt the Charter School to form an English Language Advisory Committee. At Element A, p. 39, the Petition indicates that the minimum threshold is 21 students; in Element D, the threshold is listed as 15% of the total school population, which, based on the Petition's first-year projections, would be 13 students.

b) Measurable Student Outcomes



i) Although the Charter Petition addresses some of the relevant selection criteria, it lacks meaningful detail and requires important additional information. For example, it is unclear if benchmark assessments in reading, writing, and math will also address ELD, science, and social studies standards. Further, the Petition does not identify target outcomes for crucial state priorities such as chronic absenteeism, middle school drop-out rates, student retention, and student completion of the educational program.

ii) The Petition does not describe any non-academic student outcomes. Notably, the Petition fails to designate exit outcomes for social-emotional learning, which is a fundamental aspect of the Charter School's curriculum.

iii) The "ILA Grade Level Exit Outcomes" enumerated in the Petition are vague and seemingly immeasurable. Though the Petition designates the assessment tools by which these outcomes will be measured, the listed goals are so nebulous that the staff cannot evaluate their attainability. For example, in English Language Arts, the exit outcome is described as "strong reading, writing, listening, speaking and presentation skills." (Element B.) In Mathematics, the exit outcome includes "develop[ing] abilities to reason logically[] and learn and apply mathematical concepts in abstract and real-life situations." (*Ibid.*) The staff finds these generalized goals to be insufficient.

c) Student Progress Measurement

i) The sample rubrics included in the Petition evaluate presentation and writing skills but do not address content objectives, and the Petition does not explain how rubrics and performance tasks will measure content standards. (See Element C, pp. 7–8.)

ii) The Petition does not provide for interim tools to measure progress on ELD standards, and oral progress in ELD is only addressed via the ELPAC. (See Element A, pp. 59–60.)

**RECOMMENDATION OF DENIAL OF THE PETITION**

Based on the foregoing, Staff makes the following recommendations:

1. That the Petition be denied for reasons including, but not limited to, failure of the Petitioner to present a sound educational program.
2. That the Petition be denied because it is demonstrably unlikely that the Petitioner will successfully implement the program set forth in the Petition.
3. That the Petition be denied because it does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605(b)(5).

In order to deny the Petition on the grounds set forth above, Education Code section 47605(b) requires the Governing Board to make “written factual findings, specific to the particular petition, setting forth specific facts to support one or more” grounds for denying the Petition. Staff recommends the Board adopts these final Findings of Fact as its own, should the Board decide to deny the Petition.

**SANTA CRUZ COUNTY Board of Education**

**RESOLUTION NO. 19-01**

**RESOLUTION TO CONDITIONALLY APPROVE THE CHARTER PETITION OF  
INTEGRATIVE LEARNING ACADEMY**

**WHEREAS**, on or about November 6, 2018 lead petitioner Nicky Ramos-Beban, Ph.D. (“Petitioners”) for the Integrative Learning Academy Charter School (“Charter School”) submitted a charter petition (“Petition”) to the San Lorenzo Valley Unified School District (“District”); and

**WHEREAS**, on January 4, 2019, the District’s Board of Trustees voted to deny the Petition; and

**WHEREAS**, on January 7, 2019, pursuant to Education Code section 47605, subdivision (j), Petitioners submitted the Petition to the Santa Cruz County Office of Education (“County Office”), seeking approval of the school’s charter petition for a five year term commencing on July 1, 2019 and ending June 30, 2024; and

**WHEREAS**, the Santa Cruz County Board of Education (“County Board”) held a public hearing on March 7, 2019, as required by Education Code section 47605, for the purpose of considering the level of support for the Petition by parents, teachers and other employees of the districts within the jurisdiction of the County Office; and

**WHEREAS**, the Santa Cruz County Superintendent of Schools and his charter school review team, along with legal counsel, have reviewed and analyzed the Petition, including all supporting documentation submitted by Petitioners to the County Office following submittal of the Petition, for legal, programmatic and fiscal sufficiency, and have submitted a Staff Report and Proposed Findings of Fact (“Staff Report”) to the County Board, which Staff Report was made part of the agenda for this meeting and shall be deemed integrated into this resolution as Exhibit A; and

**WHEREAS**, the Staff Report identifies numerous deficiencies in the Petition, such that the Petition may be denied; and

**WHEREAS**, notwithstanding the deficiencies set forth in the Staff Report, it is the determination of the County Board that such deficiencies can be addressed with the Charter School through an operational memorandum of understanding (“Operational MOU”) setting forth obligations of the Charter School to address and remedy the identified deficiencies, among other matters, as well as a special education memorandum of understanding (“Special Ed MOU”), to address the provision of special education services to Charter School students and related matters; and

**WHEREAS**, it is therefore the intent of the Board to approve the Petition conditional on (1) the approval by the County Board and the governing body of the Charter School of an Operational

MOU between the County Office and the Charter School within thirty (30) days of the adoption of this resolution, which Operational MOU shall, to the satisfaction of the County Superintendent of Schools, address and propose to remedy the identified deficiencies in the Petition set forth in the Staff Report, and shall address other operational matters as needed; and (2) the approval by the County Board and the governing body of the Charter School of a Special Ed MOU between the County Office and the Charter School within thirty (30) days of the adoption of this resolution, which Special Ed MOU shall, to the satisfaction of the County Superintendent of Schools, address the provision of special education services to Charter School students and related matters;

**NOW THEREFORE, BE IT RESOLVED**, that the Santa Cruz County Board of Education, having fully considered and evaluated the Petition and supporting documentation hereby approves the Petition of the Charter School, subject to the following conditions:

1. Within thirty (30) days of the adoption of this resolution, the County Board and the governing body of the Charter School shall have duly approved an Operational MOU between the County Office and the Charter School, which Operational MOU shall, to the satisfaction of the County Superintendent of Schools, address and propose to remedy the identified deficiencies in the Petition set forth in the Staff Report, and shall address other operational matters as needed.
2. Within thirty (30) days of the adoption of this resolution, the County Board and the governing body of the Charter School shall have duly approved a Special Ed MOU between the County Office and the Charter School, which Special Ed MOU shall, to the satisfaction of the County Superintendent of Schools, address the provision of special education services to Charter School students and related matters.

**BE IT FURTHER RESOLVED** that, if the aforementioned conditions are not timely satisfied, and are not modified by further action of the County Board, the County Board shall be deemed to have adopted the findings of fact set forth in the Staff Report incorporated herein as Exhibit A, and to have denied the Petition.

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**PASSED AND ADOPTED** by the Board of Education of Santa Cruz County at its meeting held on March 7, 2019, as follows:

AYES:

NOES:

ABSENT:

ABSTAINED:

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Dana M. Sales  
President, Santa Cruz County Board of Education

Attest:

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Faris Sabbah  
County Superintendent of Schools  
Secretary, Santa Cruz County Board of Education

**SANTA CRUZ COUNTY Board of Education**

**RESOLUTION NO. 19-02**

**RESOLUTION TO DENY THE CHARTER PETITION OF  
INTEGRATIVE LEARNING ACADEMY**

**WHEREAS**, on or about November 6, 2018 lead petitioner Nicky Ramos-Beban, Ph.D. (“Petitioners”) for the Integrative Learning Academy Charter School (“Charter School”) submitted a charter petition (“Petition”) to the San Lorenzo Valley Unified School District (“District”); and

**WHEREAS**, on January 4, 2019, the District’s Board of Trustees voted to deny the Petition; and

**WHEREAS**, on January 7, 2019, pursuant to Education Code section 47605, subdivision (j), Petitioners submitted the Petition to the Santa Cruz County Office of Education (“County Office”) seeking approval of the Charter School’s charter for a five year term commencing on July 1, 2019 and ending June 30, 2024; and

**WHEREAS**, the Santa Cruz County Board of Education (“County Board”) held a public hearing on March 7, 2019, as required by Education Code section 47605, for the purpose of considering the level of support for the Petition by parents, teachers and other employees of the districts within the jurisdiction of the County Office; and

**WHEREAS**, the Santa Cruz County Superintendent of Schools and his charter school review team, along with legal counsel, have reviewed and analyzed the Petition, including all supporting documentation submitted by Petitioners to the County Office following submittal of the Petition, for legal, programmatic and fiscal sufficiency, and have submitted a Staff Report and Proposed Findings of Fact (“Staff Report”) to the County Board, which Staff Report was made part of the agenda for this meeting and shall be deemed integrated into this resolution as Exhibit A; and

**WHEREAS**, the Staff Report identifies numerous deficiencies in the Petition, such that the Petition may be denied.

**NOW THEREFORE, BE IT RESOLVED**, that the Santa Cruz County Board of Education, having fully considered and evaluated the Petition and supporting documentation hereby adopts the findings of fact set forth in the Staff Report attached hereto as Exhibit A, as the County Board’s own, and on the basis of those findings of fact, the County Board determines that:

1. The Petition presents an unsound educational program for the students to be enrolled in the Charter School (Ed. Code § 47605(b)(1));

2. Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition (Ed. Code § 47605(b)(2)); and
3. The Petition does not contain reasonably comprehensive descriptions of all of the fifteen required elements set forth in Education Code section 47605, subdivision (b)(5)(A)-(O).

**BE IT FURTHER RESOLVED** that, based on the findings of fact set forth in Exhibit A, which are incorporated herein by reference, the Petition is hereby denied.

**PASSED AND ADOPTED** by the Board of Education of Santa Cruz County at its meeting held on March 7, 2019, as follows:

AYES:

NOES:

ABSENT:

ABSTAINED:

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Dana M. Sales  
President, Santa Cruz County Board of Education

Attest:

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Faris Sabbah  
County Superintendent of Schools  
Secretary, Santa Cruz County Board of Education