

# **U.S. Department of Education**

**Washington, D.C. 20202-5335**



## **APPLICATION FOR GRANTS UNDER THE**

**CHARTER SCHOOLS PROGRAM STATE EDUCATIONAL AGENCY  
CFDA # 84.282A  
PR/Award # U282A100013**

OMB No. 1894-0006, Expiration Date:  
Closing Date: MAY 07, 2010

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This application was generated using the PDF functionality. The PDF functionality automatically numbers the pages in this application. Some pages/sections of this application may contain 2 sets of page numbers, one set created by the applicant and the other set created by e-Application's PDF functionality. Page numbers created by the e-Application PDF functionality will be preceded by the letter e (for example, e1, e2, e3, etc.).

<b>Application for Federal Assistance SF-424</b>		Version 02	
* 1. Type of Submission		* 2. Type of Application: * If Revision, select appropriate letter(s):	
<input type="checkbox"/> Preapplication		<input checked="" type="checkbox"/> New	
<input checked="" type="checkbox"/> Application		<input type="checkbox"/> Continuation * Other (Specify)	
<input type="checkbox"/> Changed/Corrected Application		<input type="checkbox"/> Revision	
* 3. Date Received:		4. Applicant Identifier:	
5/7/2010		NA	
5a. Federal Entity Identifier:		* 5b. Federal Award Identifier:	
NA		NA	
<b>State Use Only:</b>			
6. Date Received by State:		7. State Application Identifier:	
<b>8. APPLICANT INFORMATION:</b>			
* a. Legal Name: California Department of Education for the State Board of Education			
* b. Employer/Taxpayer Identification Number (EIN/TIN):		* c. Organizational DUNS:	
680258051		807480843	
<b>d. Address:</b>			
* Street1:		1430 N Street, Suite 5401	
Street2:			
* City:		Sacramento	
County:		Sacramento	
State:		CA	
Province:			
* Country:		USA	
* Zip / Postal Code:		95814	
<b>e. Organizational Unit:</b>			
Department Name:		Division Name:	
California Department of Education for the State Board of Education		Charter Schools Division	
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>			
Prefix:		* First Name:	
Ms.		Beth	
Middle Name:			

\* Last Name: Hunkapiller

Suffix:

Title: Director, Charter Schools Division

Organizational Affiliation:

Charter Schools Division, CA Department of Education

\* Telephone  
Number:

(916)319-0662

Fax Number:

(916)322-1465

\* Email: BHUNKAPILLER@CDE.CA.GOV

**Application for Federal Assistance SF-424**

Version 02

**9. Type of Applicant 1: Select Applicant Type:**

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

State Educational Agency

**10. Name of Federal Agency:**

U.S. Department of Education

**11. Catalog of Federal Domestic Assistance Number:**

84.282A

CFDA Title:

Charter Schools Program State Educational Agency

**\* 12. Funding Opportunity Number:**

ED-GRANTS-032310-002

Title:

Office of Innovation and Improvement; Overview Information;  
Charter Schools Program (CSP): State Educational Agencies; Notice  
Inviting Applications for New Awards for Fiscal Year (FY) 2010

**13. Competition Identification Number:**

ED-GRANTS-032310-002

Title:

Office of Innovation and Improvement; Overview Information;  
Charter Schools Program (CSP): State Educational Agencies; Notice

Inviting Applications for New Awards for Fiscal Year (FY) 2010

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

The entire state of California

**\* 15. Descriptive Title of Applicant's Project:**

CA Public Charter School Grant Program

Attach supporting documents as specified in agency instructions.

**Attachment:**

Title :

File :

**Attachment:**

Title :

File :

**Attachment:**

Title :

File :

**Application for Federal Assistance SF-424**

Version 02

**16. Congressional Districts Of:**

\* a. Applicant: CA-all

\* b. Program/Project: CA-all

Attach an additional list of Program/Project Congressional Districts if needed.

**Attachment:**

Title :

File :

**17. Proposed Project:**

\* a. Start Date: 8/1/2010

\* b. End Date: 7/31/2015

**18. Estimated Funding (\$):**

a. Federal	\$ 299993181
b. Applicant	\$ 0
c. State	\$ 0
d. Local	\$ 0
e. Other	\$ 0
f. Program Income	\$ 0
g. TOTAL	\$ 299993181

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on 5/7/2010.

- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

Yes  No

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix: Ms. \* First Name: Beth

Middle Name:

\* Last Name: Hunkapiller

Suffix:

Title: Director, Charter Schools Division

\* Telephone Number: (916)319-0662 Fax Number: (916)322-1465

\* Email: BHUNKAPILLER@CDE.CA.GOV

\* Signature of Authorized Representative:

\* Date Signed:

**Application for Federal Assistance SF-424**

Version 02

**\* Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.



**U.S. DEPARTMENT OF EDUCATION**  
**BUDGET INFORMATION**  
**NON-CONSTRUCTION PROGRAMS**

OMB Control Number: 1894-0008

Expiration Date: 02/28/2011

Name of Institution/Organization:  
 California Department of Educati...

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

**SECTION A - BUDGET SUMMARY**  
**U.S. DEPARTMENT OF EDUCATION FUNDS**

Budget Categories	Project Year 1(a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel	\$ 950,389	\$ 950,389	\$ 950,389	\$ 950,389	\$ 950,389	\$ 4,751,945
2. Fringe Benefits	\$ 327,884	\$ 327,884	\$ 327,884	\$ 327,884	\$ 327,884	\$ 1,639,420
3. Travel	\$ 24,163	\$ 24,163	\$ 24,163	\$ 24,163	\$ 24,163	\$ 120,815
4. Equipment	\$ 8,500	\$ 0	\$ 515	\$ 0	\$ 0	\$ 9,015
5. Supplies	\$ 29,000	\$ 25,500	\$ 25,500	\$ 25,500	\$ 25,500	\$ 131,000
6. Contractual	\$ 725,000	\$ 1,150,000	\$ 1,150,000	\$ 1,180,000	\$ 1,175,000	\$ 5,380,000
7. Construction	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
8. Other	\$ 49,250,000	\$ 57,825,000	\$ 57,850,000	\$ 60,200,000	\$ 60,225,000	\$ 285,350,000
9. Total Direct Costs (lines 1-8)	\$ 51,314,936	\$ 60,302,936	\$ 60,328,451	\$ 62,707,936	\$ 62,727,936	\$ 297,382,195
10. Indirect Costs*	\$ 448,091	\$ 537,712	\$ 537,824	\$ 544,222	\$ 543,137	\$ 2,610,986
11. Training Stipends	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
12. Total Costs (lines 9-11)	\$ 51,763,027	\$ 60,840,648	\$ 60,866,275	\$ 63,252,158	\$ 63,271,073	\$ 299,993,181

**\*Indirect Cost Information (To Be Completed by Your Business Office):**

If you are requesting reimbursement for indirect costs on line 10, please answer the following questions:

(1) Do you have an Indirect Cost Rate Agreement approved by the Federal government?  Yes  No

(2) If yes, please provide the following information:

Period Covered by the Indirect Cost Rate Agreement: From: 7/1/2010 To: 6/30/2011 (mm/dd/yyyy)

Approving Federal agency:  ED  Other (please specify): \_\_\_\_\_ The Indirect Cost Rate is 21.7%

(3) For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:

Is included in your approved Indirect Cost Rate Agreement? or,  Complies with 34 CFR 76.564(c)(2)? The Restricted Indirect Cost Rate is 0%



**U.S. DEPARTMENT OF EDUCATION**

**BUDGET INFORMATION**

**NON-CONSTRUCTION PROGRAMS**

OMB Control Number: 1894-0008

Expiration Date: 02/28/2011

Name of Institution/Organization:  
California Department of Educati...

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

**SECTION B - BUDGET SUMMARY**

**NON-FEDERAL FUNDS**

Budget Categories	Project Year 1(a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
2. Fringe Benefits	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
3. Travel	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
4. Equipment	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
5. Supplies	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
6. Contractual	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
7. Construction	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
8. Other	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
9. Total Direct Costs (lines 1-8)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
10. Indirect Costs	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
11. Training Stipends	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
12. Total Costs (lines 9-11)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

## ASSURANCES - NON-CONSTRUCTION PROGRAMS

Standard Form 424B (Rev.7-97)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. "4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. "1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. '794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. "276a to 276a-7), the Copeland Act (40 U.S.C. '276c and 18 U.S.C. "874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. " 327-333), regarding labor standards for federally assisted construction sub-agreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. "1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. "7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. "1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance

of 1975, as amended (42 U.S.C. " 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) " 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. " 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. ' 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. "1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. '470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. "469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. "2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. "4801 et seq.) which prohibits the use of lead- based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

**Signature of Authorized Certifying Representative:**

**Name of Authorized Certifying Representative:** Beth Hunkapiller

**Title:** Director, Charter Schools Division

**Date Submitted:** 05/07/2010

### Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

<b>1. Type of Federal Action:</b> <input type="checkbox"/> Contract <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Loan <input type="checkbox"/> Loan Guarantee <input type="checkbox"/> Loan Insurance	<b>2. Status of Federal Action:</b> <input checked="" type="checkbox"/> Bid/Offer/Application <input type="checkbox"/> Initial Award <input type="checkbox"/> Post-Award	<b>3. Report Type:</b> <input checked="" type="checkbox"/> Initial Filing <input type="checkbox"/> Material Change <b>For Material Change only:</b> Year: 0Quarter: 0 Date of Last Report:
<b>4. Name and Address of Reporting Entity:</b> <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier, if known: 0 Name: CDE for State Board of Education Address: 1430 N Street City: Sacramento State: CA Zip Code + 4: 95814-5901  <b>Congressional District, if known: 05</b>	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>  Name: Address: City: State: Zip Code + 4: -  <b>Congressional District, if known:</b>	
<b>6. Federal Department/Agency:</b> US Department of Education	<b>7. Federal Program Name/Description:</b> Charter School Program  CFDA Number, if applicable: 84.282A	
<b>8. Federal Action Number, if known:</b> 84.282A	<b>9. Award Amount, if known:</b> \$299993181	
<b>10. a. Name of Lobbying Registrant</b> (if individual, last name, first name, MI): Brustein & Manasevit Attorneys at Law Address: 3105 South Street, NW City: Washington State: DC Zip Code + 4: 20007-	<b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI): Address: City: State: Zip Code + 4: -	
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Name: Beth Hunkapillar Title: Director, Charter Schools Division Applicant: California Department of Education for the State Board of Education Date: 05/06/2010	
<b>Federal Use Only:</b>	Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)	

## CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal Loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance.

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### APPLICANT'S ORGANIZATION

California Department of Education for the State Board  
of Education

### PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix: Ms.      First Name: Beth      Middle Name:  
Last Name: Hunkapiller      Suffix:  
Title: Director, Charter Schools Division

Signature: \_\_\_\_\_ Date: 05/05/2010

ED 80-0013

03/04

## Section 427 of GEPA

### NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P. L.) 103-382).

#### **To Whom Does This Provision Apply?**

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

#### **What Does This Provision Require?**

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct

description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

#### **What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?**

The following examples may help illustrate how an applicant may comply with Section 427.

- (1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.
- (2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.
- (3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

### **Estimated Burden Statement for GEPA Requirements**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1894-0005**. The time required to complete this information collection is estimated to average 1.5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4537.

Applicants should use this section to address the GEPA provision.

**Attachment:**

Title : California Department of Education for the State Board of Education

File : G:\Fiscal\PCSGP\2010-15 grant cycle\2010-15 Federal Application development\2010-15 GEPA\2010-15 GEPA statement.doc

**California Department of Education for the State Board of Education**

**California Charter Schools Program Grant**

**General Education Provisions Act (GEPA)**

This provision is Section 427 of the U. S. Department of Education's General Education Provisions Act (GEPA), enacted as part of improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

The California Department of Education (CDE) for the State Board of Education will ensure to the fullest extent possible that all project beneficiaries will have equal access to participation in the proposed funded project. The CDE assures equitable access and participation in all grant opportunities or activities, regardless of any barriers, including:

- Gender
- Race
- National origin
- Language
- Color
- Disability
- Age

The CDE does not discriminate on the basis of sex, race/ethnicity, religion, national origin, age, or disability in its services and activities. It provides reasonable and appropriate accommodations for all activities affiliated with this project to meet the needs of a diverse group of participants.

Examples of GEPA compliance include the provisions required under California *Education Code (EC)* Section 48985

(a) If 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted to the department pursuant to Section 52164 in the preceding year, all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the school or school district shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language.

(b) Pursuant to subdivision (b) of Section 64001, the department shall monitor adherence to the requirements of subdivision (a) as part of its regular monitoring and review of public schools and school districts, commonly known as the Categorical Program Monitoring process, and shall determine the types of documents and languages a school district translates to a primary language other than English, the availability of these documents to parents or guardians who speak a primary language other than English, and the gaps in translations of these documents.

(c) Based on census data submitted to the department pursuant to Section 52164 in the preceding fiscal year, the department shall notify a school district, by August 1 of each year, of the schools within the school district, and the primary language other than English, for which the translation of documents is required pursuant to subdivision (a). The department shall make that notification using electronic methods.

(d) The department shall use existing resources to comply with subdivisions (b) and (c).

The CDE maintains the Clearinghouse for Multilingual Documents (<http://www.cde.ca.gov/ls/pf/cm/>) which provides registered users with free access to numerous translated documents contributed by local educational agencies and the CDE.

The CDE requires an assurance from each CSP sub-grant applicant to meet the compliance requirements of GEPA, as noted on the CSP Request for Applications (RFA) Web site (<http://www.cde.ca.gov/fq/fo/r1/pcsgp07rfa.asp>) and as part of the standard Certifications and Assurances required for CSP funding.



# Project Narrative

## Abstract Attachment Form

### Attachment 1:

Title: **California Charter School Program Abstract 2010-15** Pages: **1** Uploaded File: **G:\Fiscal\PCSGP\2010-15 grant cycle\2010-15 Federal Application development\2010-15 Abstract\CA 2010-15 Abstract.final.doc**

## California Charter School Program Abstract 2010-15

California Department of Education  
1430 N Street, Suite 5401  
Sacramento, CA 95814

Beth Hunkapiller, Division Director  
Charter Schools Division  
(916) 319-0662 / [bhunkapiller@cde.ca.gov](mailto:bhunkapiller@cde.ca.gov)

The State Board of Education (SBE) and the California Department of Education (CDE) propose to implement a Charter School Program (CSP) grant to expand the number of charter schools in the state by an estimated 610 new schools, and a goal of increased student achievement that leads to closing the achievement gaps through high-quality charter schools. To meet this goal, the CSP objectives for 2010-15 are:

- Objective 1: Increase the Number of High-Quality Charter Schools in California
- Objective 2: Strengthen Charter School Sustainability Through Capacity Building
- Objective 3: Improve Academic Achievement of Charter School Students
- Objective 4: Disseminate Best Practices From High-Quality Charter Schools

The CSP has been an integral part of supporting charter school expansion in California since funding was first received in 1995. California has the largest number of charter schools and charter school students of all states. As of the 2009–10 school year, there are 809 active charter schools in California, which represents nearly 8 percent of all schools in the State. In 2009 alone, charter school student attendance grew by an estimated 56,000 students, representing a 20 percent increase from previous years.

CSP funding will be used to incentivize developers to open high-quality charter schools in the attendance areas of the state's persistently lowest-performing schools, thereby offering choice and options to parents and students for a higher quality education to help California close the achievement gaps.

# Project Narrative

## Application Narrative Attachment Form

### Attachment 1:

Title: **CA 2010-15 FINAL CSP narrative** Pages: **58** Uploaded File: **G:\Fiscal\PCSGP\2010-15 grant cycle\2010-15 Federal Application development\2010-15 FINAL uploaded documents\2010-15 Narrative\CA 2010-15 FINAL CSP Narrative5.7.10.doc**

**2010–15 CALIFORNIA PUBLIC CHARTER SCHOOL GRANT PROGRAM  
PROJECT NARRATIVE**

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# 2010–15 CALIFORNIA PUBLIC CHARTER SCHOOL GRANT PROGRAM

## PROJECT NARRATIVE

### **Part I: Competitive Preference Priorities**

California qualifies for points under all five competitive preference priorities.

#### ***Priority 1. Periodic Review and Evaluation***

The California *Education Code (EC)* clearly outlines the approval, oversight, reauthorization, and revocation of charter schools. There are multiple methods to request approval of a charter, whether at the school district level, the county level, or the state level. In California, each of the 1,043 school districts, 58 county offices of education (COE), and the State Board of Education (SBE) are identified in law as having authority to approve charters that are compliant with California statute. Charter school oversight and monitoring are primarily implemented by the school district authorizer. The law also provides county and state education agencies with charter oversight and monitoring responsibilities, including the right to investigate and to revoke a charter school.

California law provides three mechanisms by which a chartering authority provides periodic review and evaluation of each charter school. First, *EC* Section 47604.32 identifies the required oversight duties of all chartering authorities, which includes visiting the school at least once a year, ensuring that each charter school complies with all required reports (including fiscal reports four times a year), and monitoring the school's fiscal condition. Chartering authorities are provided the flexibility to create monitoring tools to conduct annual evaluations of their authorized charter schools. For example, charter schools that are authorized by the SBE are reviewed by comparing their operations and achievement to the memorandum of understanding (MOU) established when the SBE authorizes the school (see Attachment 1). In its oversight capacity, the SBE also utilizes an annual monitoring tool to assess the charter school's academic, operational, fiscal performance, and progress towards the goals as stated in

the charter, the MOU, state law, and the charter school's potential for renewal (see Attachment 2).

Second, *EC* Section 47607(b) provides the criteria by which a chartering authority must evaluate a petition for charter renewal. When a charter is granted by a chartering authority, the initial charter is approved for a period of up to five years. Renewals that are approved must be approved for five years and are based on the following criteria:

- Attaining an Academic Performance Index (API)—a composite of student test scores used to rank schools in the state—growth target in the prior year, or in two of the last three years, or in the aggregate for the prior three years;
- Attaining a state rank in deciles 4 to 10 (i.e., being in the top 60 percent of schools), inclusive, on the API in the prior year or in two of the last three years;
- Attaining a state rank in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years; and
- Ensuring that the entity 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 at least equal to 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.

Third, *EC* Section 47607(c) provides the explicit authority for a chartering authority to revoke a charter at any time for failure to meet or pursue any student outcomes identified in the charter; violation of the charter's conditions, standards, or procedures; fiscal mismanagement; or violation of any provision of the law. A school's charter may also be revoked by the SBE, whether or not the SBE is the chartering authority. *EC* Section 47604.5 provides that the SBE

may take appropriate action, including, but not limited to, revocation of the school's charter when the SBE finds any of the following:

- Gross financial mismanagement that jeopardizes the financial stability of the charter school;
- Illegal or substantially improper use of charter school funds for the personal benefit of any officer, director, or fiduciary of the charter school;
- Substantial and sustained departure from measurably successful practices such that continued departure would jeopardize the educational development of the school's pupils.

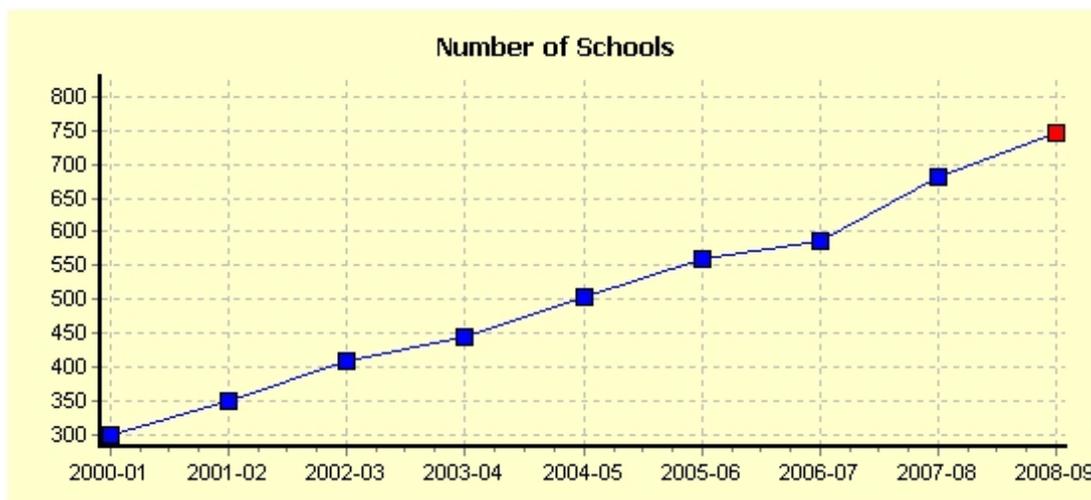
To effectuate the SBE's authority to revoke any charter in the state, in December 2009, the SBE began the rulemaking process to adopt regulations that would allow for the revocation of academically low-performing charter schools as determined by specified Adequate Yearly Progress (AYP) results, including subgroups. The proposed regulations provide a process and set out the conditions for action by the SBE against any charter school in the State when the SBE finds that the charter school has engaged in substantial and sustained departure from measurably successful practices that jeopardize the educational development of a school's pupils pursuant to *EC* Section 47604.5(c).

### ***Priority 2. Number of High-Quality Charter Schools***

California has been on the leading edge of the charter school movement since its inception. In 1992, California became the second state in the country to enact charter school legislation and over time has seen the number of charter schools increase at an average rate of 82 schools per year. In absolute numbers, California has the most charter schools and the largest number of charter students of all states. As of the 2009–10 school year, there are 809 active charter schools in California, which represents almost eight percent of all schools in the state. This translates to over 250,000 Kindergarten through grade 12 (K–12) students in California who attend a charter school in 323 elementary, 89 middle, and 249 high schools, as

well as 149 K–12 schools. In 2009 alone, charter school student attendance grew by an estimated 56,000 students, representing a 20 percent increase from the previous year.

As demonstrated below, from the school years 2000–01 through 2008–09, the number of charter schools in California has shown steady growth, as documented by Education Data Partnership (Ed-Data).



California law has created an environment supportive of the development of high-quality charter schools throughout the state in four areas: (1) a review process for the charter petition; (2) accountability through statewide academic standards and assessments; (3) charter renewal; and (4) charter revocation. First, the charter review process pursuant to *EC* Section 47605 provides specific and stringent criteria that all petitioners must meet for a charter petition to be approved. These criteria ensure that only high-quality charters are approved by chartering authorities, and provide the legal basis by which low-quality charter petitions may be denied (see Attachment 3).

Second, California law under *EC* Section 47605(c) supports high-quality charter schools throughout the state by requiring that charter schools meet all statewide academic standards and conduct all state pupil assessments in addition to the individual criteria defined in MOUs. California has adopted high standards in English-language arts (1997), mathematics (1997),

history-social science (1998), science (1998), English language development (1999), visual and performing arts (2001), physical education and career technical education (2005), and health education (2008). California's assessment system measures student performance against state standards. Its central piece is the Standardized Testing and Reporting (STAR) program, created in 1997 to provide annual assessment of academic achievement in core content areas in grades 2 through 11. The state assessment system also includes the California English Language Development Test, and the California High School Exit Exam and Physical Fitness Test. In addition, all charter schools in California are measured in the state's accountability system, known as the API, which combines multiple achievement measures into an index measure that is used to rank all schools and assign school-specific annual performance targets, both school-wide and at the subgroup level that build toward state performance goals. California's API system is complemented by the federal AYP accountability system, which California also uses as a measure of high-quality charter schools, in addition to a charter school's accreditation by the Western Association of Schools and Colleges and clear annual audits.

As of the most recently published data available through the CDE, AYP data files for the 2009 testing period show the number of charter schools making AYP under the NCLB exceeds non-charter schools. In 2007, 67 percent of operating charter schools in California met AYP compared to 65 percent of non-charter schools. In 2008, 56 percent met AYP compared to 51 percent of non-charter schools. Finally, in 2009, 51 percent met AYP compared to 48 percent of non-charter schools.

Lastly, California law ensures high-quality charter schools through the renewal and revocation processes established in *EC* sections 47607 and 47604.5. As identified in Part I, *Priority 1. Periodic Review and Evaluation*, charter renewals may only be granted if a charter school meets specific academic achievement criteria, and a charter may be revoked by its chartering authority at any time for failure to meet or pursue any student outcomes identified in the charter; violation of the charter's conditions, standards, or procedures; fiscal

mismanagement; or violation of any provision of the law. A school's charter may also be revoked by the SBE, whether or not the SBE is the chartering authority, under the provisions of *EC* Section 47604.5.

California also supports charter schools in maintaining high-quality standards by providing state-led technical assistance through a CDE charter support team and the SBE's Advisory Commission on Charter Schools (ACCS), which reviews charter school funding and programmatic issues and provides advice to the SBE.

Another example of California's promotion of the growth of high-quality charter schools is evidenced by the recently released *Charter School Law Ranking and Scorecard 2010* developed by The Center for Education Reform. Under the ranking and scorecard, California ranks as the third strongest of the nation's 40 charter laws. The report cites the following as contributing factors to California's charter school growth: consistent improvements to law; successful charters can obtain direct State approval to replicate; and California has highly equitable funding measures.

***Priority 3. One Authorized Public Chartering Agency Other than a Local Educational Agency (LEA), or an Appeals Process***

California law provides multiple opportunities for a charter school to be authorized through a three-tiered appeal process, whether at the school district level, the county level, or the state level. In California, each of the 1,043 school districts, 58 COEs, and the SBE are identified in *EC* Section 47605 as having authority to approve charters that are compliant with California statute.

The majority of petitions are first submitted to the local school district in which the school proposes to operate. By law, chartering authorities cannot deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the charter petition, setting forth specific facts to support the denial (see Attachment 3). If a petition is denied at the school district level, California law provides clear appeal processes for denials at each level.

First, the petitioners can appeal to the COE for charter approval. COEs also have the authority under *EC* sections 47605.5 and 47605.6 to approve charter schools that meet unique countywide needs. Second, if a charter petitioner is denied at the COE level, they can then appeal to the SBE for approval. In addition, the SBE also authorizes “statewide benefit” charter schools pursuant to *EC* Section 47605.8 to provide instructional services that cannot be provided by a charter school operating in only one school district or county. Statewide benefit charter schools adhere to all other charter laws with the exception of geographic limitations. This system of multiple authorizers, charter types, and a multi-tiered appeals process ensures that there is sufficient opportunity for innovative ideas to develop in charters across California.

As the third-level appellate reviewer (or first-level reviewer of a statewide benefit charter), the SBE plays an active role in California’s charter review and appeal system. Since 1992, 71 charter petition appeals have been submitted to the SBE for consideration. Of these 71, the SBE approved 28 petitions on appeal of local denial, 28 petitions were withdrawn by the petitioners prior to formal consideration by the SBE, the SBE denied 8 petitions, the SBE did not take formal action on 3 petitions, and 4 petitions are scheduled for hearing by the SBE at its May 2010 meeting.

The 28 charter petitions approved by the SBE since 1992 account for 33 charter schools approved to operate in California under those charter petitions. This is due to multiple charter schools that operate under each of the 3 statewide benefit charters approved by the SBE. Of the 33 charter schools approved by the SBE, 25 charter schools are currently operating under SBE oversight, and 8 charter schools are no longer under SBE oversight due to charter renewal at the local level, abandonment, and revocation. Of the 25 charter schools currently operating under SBE oversight, the SBE approved 13 on appeal of local denial, 9 under 3 statewide benefit charters, and the SBE renewed 3 charter schools on appeal of local denial.

#### ***Priority 4. High Degree of Autonomy***

California actively ensures that charter schools have a high degree of autonomy over the charter school's budgets and expenditures as required under Elementary and Secondary Education Act (ESEA) Section 5202(e)(C). Pursuant to the legislative intent section of California charter school law, *EC* Section 47601 states that, "It is the intent of the Legislature, in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure..." State charter school funding laws also provide autonomy to charter schools by providing maximum flexibility in how funds are spent. Under *EC* Section 47634.1(a), the state categorical block grant provides funds in lieu of the charter school's requirement to apply for and comply with separate state categorical programs. As one of several components of state funding for California's charter schools, the categorical block grant (consolidated from approximately 25 statewide categorical programs) for charter schools can be used for general purposes based on the school's average daily attendance (ADA), with supplemental funding provided for educationally disadvantaged students including economically disadvantaged students and English learners.

California's Charter School Program (CSP) implements state and federal law regarding charter school autonomy through a rigorous review process, which ensures that only highly-autonomous charter schools are awarded CSP sub-grants. California's CSP grant defines a "highly-autonomous charter school" as a charter school that exhibits a high degree of autonomy over the curriculum, staffing, and financial decisions of the school. CSP sub-grant applicants must demonstrate a high degree of autonomy in the CSP sub-grant application to be identified as a highly-autonomous charter school and thus eligible for a CSP sub-grant.

California uses specific criteria when evaluating charter schools to determine each charter school's degree of autonomy. These criteria include, but are not limited to, the following:

1. Governance structure (i.e., governing board or entity as described in the school's charter):
  - a. Is elected or appointed independently of the chartering authority.
  - b. Includes less than a majority of the current employees or appointees of the chartering authority.
  - c. Operates and/or is operated by a nonprofit public benefit corporation.
2. Operations: the charter school governing board or entity as described in the school's charter exhibits meaningful control over a majority of its operations (i.e., professional development, school year calendar, disciplinary policies and procedures, curriculum, graduation requirements, etc.).
3. Staffing:
  - a. Teachers and staff are employees of the charter school.
  - b. The charter school retains a majority of decision-making authority over all hiring, dismissal, work rule, employee assignment, and other personnel decisions and actions.
  - c. The charter school governing board or entity as described in the school's charter has adopted its own employment policies and procedures.
4. Financial Decisions: the charter demonstrates that the charter school governing board or entity as described in the school's charter exhibits meaningful control over the development and adoption of the charter school's budget, the receipt and expenditure of funds, business management ("back-office") services, audit services, purchasing and contracting decisions, and other financial matters in general.

To provide transparency in the relationship between charter authorizers and charter schools, many charter authorizers, including the SBE, require a MOU that clearly specifies the expected program gains and reporting requirements to which the charter will be held accountable and responsible. Despite such MOU agreements however, California's charter

schools remain free to implement and operate its charter as an autonomous entity separate from its chartering authority.

***Invitational Priority: High Quality Charter Schools in Urban or Rural Areas***

While the majority of charter schools exist in the densely populated urban areas of California, the CDE will partner with the state charter associations, existing statewide benefit charter schools, and rural school associations to encourage the development of charter schools in rural areas underserved by charter schools. Outreach efforts to rural areas under the 2010–15 charter development technical assistance component (see *Part III: Selection Criteria*, section [iv]) will result in increased applications for CSP funding in rural communities.

The CDE is available to provide technical assistance to all developers, through resources such as assisting in strengthening charter petitions, accessing state and federal funds, assisting developers in their appeal to a COE or the SBE, understanding state charter laws, and other general technical assistance activities.

The Request for Applications (RFA) for awarding CSP Planning and Implementation (P/I) sub-grant funds has allowed, and will continue to allow P/I sub-grant applications from new charter schools throughout the state, thus offering equal opportunity to both rural and urban charter developers to obtain CSP funds. This method of funding charter schools was given the highest rating (“The State Fully Meets the Indicator”) for indicator 1.5 of the WestEd CSP Monitoring Report on the California 2007-10 CSP grant.<sup>1</sup>

The WestEd monitoring team found that California’s method of awarding sub-grant funds provided an equitable opportunity for charter schools in urban and rural areas due to the non-

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<sup>1</sup> WestEd CSP Monitoring Report on the California 2007-10 CSP grant, November 20, 2009. Indicator 1.5: The State awards subgrants in a manner, to the extent possible, to ensure that such subgrants: (a) are distributed throughout different areas of the State, including urban and rural areas, and (b) will assist charter schools representing a variety of educational approaches. In accordance with section 5204(d) of the ESEA, the State demonstrates that the manner in which it awards subgrants results in the distribution of sub-grants throughout different areas of the State and to charter schools representing a variety of education approaches.

competitive nature of the grant award process (see *Part III: Selection Criteria*, section [iv]), and the state has, to the extent possible, awarded schools throughout different areas of the state and schools representing a variety of educational approaches.

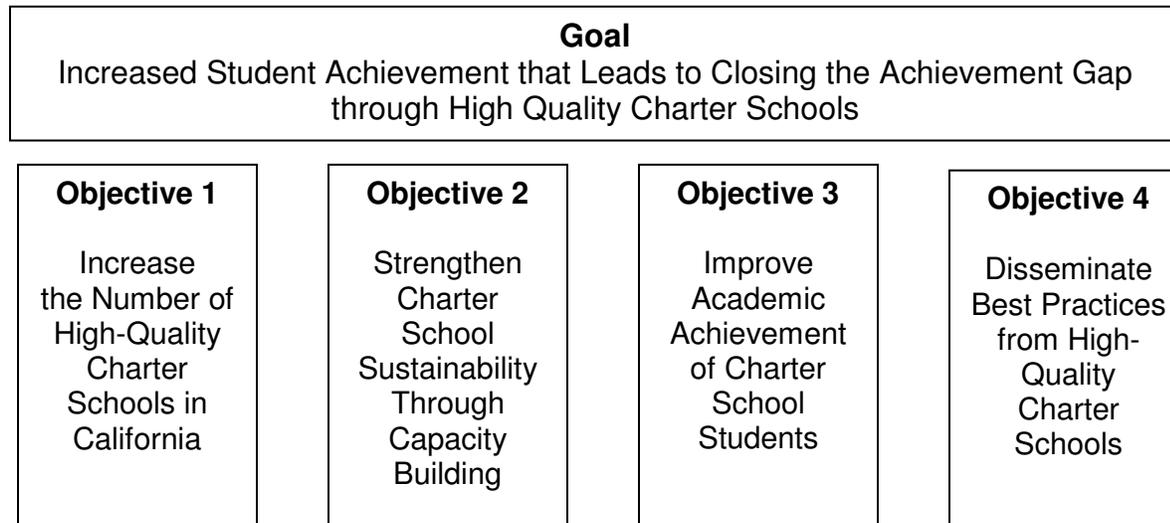
The CDE is actively involved in disseminating information on the implementation of the school turnaround and restart models, (as described in the Notice of Final Requirements for the School Improvement Grants (SIG) published in the Federal Register on December 10, 2009 [74 FR 65618]). For purposes of the 2010–15 CSP grant, funding for charter schools will be limited to schools that have not been awarded School Improvement Grants (SIG), due to the fact plentiful federal funding is available to the SIG school. However, CSP funds will be awarded at the highest funding level to charter schools opening in the vicinity (attendance area) of SIG schools and these new charter schools will receive an increased sub-grant level of P/I funds. California expects this funding structure to increase school choice opportunities for parents and students residing in areas of public schools that have been identified for improvement, corrective action, or restructuring under Title I, Part A of the ESEA. The complete funding structure is described in detail in *Part III: Selection Criteria*, section (iv).

## **Part II: Application Requirements**

### ***(i) Objectives of the California Charter School Program***

California has identified four CSP grant objectives that are aligned with the CSP as authorized by the ESEA and NCLB. California's grant objectives are also aligned with the priorities of the CDE and the SBE, which are to lead and support the continuous improvement of student achievement, with a specific focus on closing achievement gaps. In meeting the four CSP grant objectives, California will achieve the overall goal of the 2010–15 California CSP grant: Increased Student Achievement that Leads to Closing the Achievement Gap through

High Quality Charter Schools. To support this effort, California’s CSP grant objectives for the 2010-15 grant period are as follows:



To ensure the widest range of potential charter school developers are aware that federal funds are available to assist in the planning and initial implementation of a charter school, and to ensure that funds will be made available on an equitable and fair basis, encompassing the requirements of Section 427 of the U.S. Department of Education (ED) General Education Provisions Act, California will use a variety of venues to announce the availability of CSP sub-grant funds to parents, teachers, and communities throughout California, including the following:

1. The State Superintendent of Public Instruction releases press bulletins for major events and funding available through the CDE. The CSP will be profiled when the state is awarded CSP funds and when the 2010–15 CSP RFA is released.
2. The CDE Web site homepage, at <http://www.cde.ca.gov>, contains a “What’s New” section, where the CSP will be profiled when the CSP RFA is released.
3. The CDE Funding Web page, at <http://www.cde.ca.gov/fq/fo>, posts all funding opportunities available through the CDE. Anyone can subscribe to the listserv to receive automatic announcements of new funding opportunities through the “Join Funding Mailing List” Web page, at <http://www.cde.ca.gov/fq/fo/af/joinlist.asp>.

4. The CDE Charter Schools Division (CSD) maintains its own Charter Schools Web page, at <http://www.cde.ca.gov/sp/cs>, which contains information about the CSP, as well as other charter school information including legislation, administrative policies, and current events around the state. Anyone can subscribe to the listserv through the Charter School Listserv Web page, at <http://www.cde.ca.gov/sp/cs/re/cscommlists.asp>.
5. The CDE will announce on a quarterly basis that instructions for applying for grant funds are available on its website.
6. The major charter associations in the State, including the California Charter School Association (CCSA) and the Charter School Development Center (CSDC), work closely with the CDE both in developing the state's grant application and in notifying of potential charter developers of the availability of funds and funding requirements.
7. The CDE will announce the availability of CSP funds to major parent, teacher, and community organizations, including the California State Parent-Teacher Association (CAPTA), the California Teachers Association (CTA), the California Federation of Teachers (CFT), Association of California School Administrators (ACSA), California School Boards Association (CSBA), and Parent Revolution, via e-mail listservs and advertisements in local media.

**Objective 1: Increase the Number of High-Quality Charter Schools in California**

As discussed in *Part I, Priority 2: Number of High-Quality Charter Schools*, California has created an environment that promotes the development of high-quality charter schools throughout the state through the implementation of strong charter laws and a comprehensive technical assistance system that address petition review, approval or denial, and charter renewal and revocation. California's first objective for the CSP grant is to increase the number of high-quality charter schools in the state by offering charter development technical assistance for charter school operators in the development process through partnerships with outside organizations to assist in the development of strong charter petitions. Strong charter petitions

reflecting thoughtful school planning are the foundation of high-quality charter schools in the state. California investment in charter development technical assistance will significantly increase the number and quality of California's charter petitions, and will result in approvals of high-quality charter schools throughout the state.

Partnering organizations that are awarded contracts to implement the charter development technical assistance component of California's 2010–15 CSP grant will be paid out of state operations (administrative) funds in years two through five of the grant period. The charter development technical assistance will be available to new charter school developers as they initiate the development of their petition. As with all components of California's CSP P/I sub-grants, charter developers must first obtain authorization from a school district, COE, or the SBE as a requirement to receive funding. Additional detail regarding the implementation of Objective 1 is contained in *Part III: Selection Criteria*, section (iv).

### **Objective 2: Strengthen Charter School Sustainability Through Capacity Building**

CSP sub-grants provide the essential funds for the planning and operational costs associated with opening a new charter school. California recognizes, however, that to sustain a charter school's ongoing operations after sub-grant funds cease, it is critical for new charter schools to build capacity in key administrative, governance, and fiscal management functions. Therefore, California's second objective for the CSP grant is to strengthen charter school sustainability through capacity building. California will accomplish this objective by requiring CSP sub-grant recipients, with the exception of successful charter management organizations or demonstration that applicants have already engaged in this activity prior to grant application, to engage in capacity building activities that must be completed by the end of year one of the implementation sub-grant in order to receive the balance of the sub-grant award. California expects that the planned capacity building activities will result in long-term sustainability and create a strong and stable network of charter schools. Additional detail regarding the implementation of Objective 2 is contained in *Part III: Selection Criteria*, section (iv).

### **Objective 3: Improve Academic Achievement of Charter School Students**

As a leader of the charter school movement since 1992, California supports the important contribution of charter schools in providing meaningful school choice and innovative educational approaches for students and parents. California recognizes that the key to overall success of the charter school movement, however, rests on the ability of charter schools to improve student achievement. California's third objective of the 2010–15 CSP grant is to improve the academic achievement of charter school students by awarding sub-grants to charter schools that will implement proven and innovative methods for improving student achievement in the following areas:

- Professional development and teacher training programs.
- Using data to inform instruction, evaluation of program, and professional staff.
- Using varied instructional strategies to engage all students.
- Using formative and summative assessments to improve targeted instruction.
- Targeting the academic achievement of socio-economically disadvantaged students through the creation of new high-quality charter schools in the attendance areas of schools in Program Improvement or that have been determined to be persistently lowest-achieving.

California expects that by the end of the CSP grant period, a majority of new charter schools in the State will meet or exceed their API growth targets and meet AYP goals.

### **Objective 4: Disseminate Best Practices From High-Quality Charter Schools**

The dissemination of best practices is essential to help schools close achievement gaps and raise achievement levels for all students. California's fourth objective of the 2010–15 CSP grant is to disseminate best practices from high-quality charter schools to charter and non-

charter schools throughout the State. The dissemination sub-grants will be awarded to those applicants that propose to disseminate best practices and have a measured impact on increasing student achievement. As discussed in Objective 3, above, California recognizes that the overall success of the charter school movement rests on the results of charter schools to improve student achievement. California's commitment to increasing student achievement will be further strengthened by the State's implementation of a dissemination sub-grant program that is focused on closing the achievement gaps and ensuring students' academic success in achieving State and national standards. Dissemination sub-grants will be awarded to charter schools that agree to participate in the dissemination of best practices and tools through California's new web-based community of practice, Brokers of Expertise (<http://boepilot.org>), which is detailed below in *Part II: Applications Requirements*, section (iv). The required participation of dissemination sub-grant recipients will ensure that the identified projects will be disseminated widely throughout the State, to other charter and non-charter public schools. Brokers of Expertise is unique because it is designed to encourage the sharing of best practices between and among LEAs and charter schools, as well as charter school developers and organizations.

California's dissemination sub-grant program will encourage high performing charter school sub-grant applicants to develop partnerships with the state's leading charter school organizations, charter school service providers, and school districts to design and implement effective and efficient dissemination programs. As a leader in the charter school movement since 1992, California is committed to expanding those practices that have been proven to improve student achievement to the widest possible audience. Over the past 18 years, California has been an advocate and supporter of charter school partnerships that deepen capacity of the disseminating charter schools and broaden the impact of these projects on strong charter school development and public school students' education experiences.

***(ii) Federal Funds Available to Charters Schools***

California is committed to ensuring that every new charter school in the state is informed about the various federal funding opportunities and programs in which the charter school may participate. When a charter school receives a charter school number from the SBE at a regularly-scheduled meeting (occurring approximately every 60 days), the CDE notifies the charter school within fi business days with the following information:

- The charter school number.
- CSP funding information and availability, including planning and implementation funding for new charter schools.
- State funding information, including information about the Pupil Estimates for New or Significantly Expanding Charters (PENSEC) report (described in section [iii], below)
- Federal funding information, including information about how charter schools can access the array of federal program funds dedicated to providing additional resources to students most in need, including Title I, II, III, and IDEA funds.

The CDE also posts this information on the CDE Charter Schools Division Web-page, at <http://www.cde.ca.gov/sp/cs/re/>, to ensure wide-dissemination to new charter schools.

In addition, California requires all existing and new charter schools to complete the Charter Schools Annual Information Survey, distributed by the CDE Charter Schools Division in May of each year. Through this survey, the CDE collects pertinent school information, such as school contact information, whether the charter has since been renewed, school programs and focus, if the school uses Proposition 39 facilities, Workforce Partnership data, incorporation status, and retirement system data. The required survey also offers charter schools the opportunity to elect the funding model for the upcoming year: direct-funded or locally-funded. A direct-funded charter schools acts as an LEA for all State and federal funding purposes and receives those funds directly, while a locally-funded charter school receives all State and federal funding through its local school district.

***(iii) Commensurate Share of Federal Education Funds***

California has established several funding mechanisms for the State's charter schools to help ensure that charter schools receive equitable funding. State law pursuant to *EC* Section 47636 states that "It is the intent of the Legislature that each charter school be provided with operational funding that is equal to the total funding that would be available to a similar school district serving a similar pupil population..." To this end, and in accordance with the provisions of Public Law 105-278 and its implementing regulations (34 Code of Federal Regulations, Part 76), the CDE ensures that each charter school in the state receives its commensurate share of the federal funds that are allocated by formula each year, including those funds allocated during the first year of the school's operation or during a year when the charter school is significantly expanding. These schools are eligible to receive special advance funding for programs such as General Purpose Entitlement, Charter Schools Categorical Block Grant, and certain state and federal categorical programs. The advances are based on estimates of the school's upcoming enrollment, average daily attendance (ADA), and pupil demographic data.

To receive the advance funding a school must file a report of PENSEC, which is collected by July of each year by the CDE. The state and federal funding will initially be based on these estimated student counts. Entitlements will be adjusted when actual student counts are reported in subsequent data collections such as the 20 day attendance report, first and second principal apportionments, and through the Consolidated Application. Any funds that may have been overestimated in the advances will be recaptured through a reduction to future apportionments and/or the invoice process. Entitlement calculations for continuing charter schools that are not significantly expanding are based on the school's prior year data, or data specified in the state and federal program's provisions.

To access federal program funds that are allocated by formula, direct-funded charter schools must submit California's Consolidated Application indicating their intent to participate in federal programs (i.e., Title I, II, III and VI of the ESEA as amended by the NCLB). Charter schools that are locally funded participate in federal programs as a school of their authorizing local educational agency, pursuant to *EC* section 47634.4(a) and (b). Charter schools are required to submit a local educational agency plan (LEA Plan) to access federal program funds, to describe how funds received will be spent.

Newly-chartered schools, as well as significantly expanding charter schools, that will open, or expand, in a given fiscal year are included in the federal program entitlement calculations for that fiscal year's funding using estimated data collected in the PENSEC report. Charter schools are funded to the extent they are eligible for funding. Funding is released within five months of the date the charter school opens or significantly expands its enrollment. Actual program funding for a new or significantly expanding charter school is adjusted to reflect actual data when it becomes available.

***(iv) Dissemination of Best and Promising Practices***

California, in partnership with school districts, COEs, and philanthropic organizations, has already invested in the initial development and pilot testing of a web-based community of practice—Brokers of Expertise (BoE) (<http://boepilot.org>). The intent of BoE is to help schools close achievement gaps and raise achievement levels for all students. Focused on teaching and learning resources developed and reviewed by practitioners, BoE supports student success in achieving state standards. To date, this portal has focused on resources and discussion for classroom teachers in Algebra I, fourth grade English-language arts, and Career Technical Education/Multiple Pathways approaches, as the state recognizes the importance of these subjects in ensuring student success.

As noted in *Part II: Selection Criteria*, section (i), the BoE portal will provide a robust platform for the sharing of products and materials developed by CSP dissemination sub-grant

recipients to improve academic achievement of charter school students. While BoE will serve to disseminate these resources to all schools across California, it also provides support to charter authorizers, charter developers when writing a petition, and charter communities of practice to effectively utilize resources available through BoE.

CSP grant funds from the state administrative budget will be used to further expand the topic areas included in this portal. Charter schools will be able to access resources, online communities, and exemplars from each awarded CSP dissemination sub-grant to inform the field and support the development of high-performing charters across the state. An area of BoE will be devoted to charter school resources and support to showcase the practices that can best inform the education community. The BoE will host online discussions and seminars and post vetted research, tools, and practices. The BoE will be expanded to add a focus on the use of data to inform instruction, in order for the online portal to become a place where practitioners can see and learn from others' effective local practices regarding data use as a valuable resource for professional development, assessments, and other tools for increasing student academic achievement. Investment will also be made in developing transparent criteria for reviewing and posting tools and resources within the BoE portal.

Immediate efforts will be directed at the inclusion of best practices, resources, and materials from California's 2007–10 dissemination sub-grant recipients. The CDE will then work with the 2010–15 dissemination sub-grant recipients to develop common standards and approaches to best share their resources in the BoE online environment for the benefit of all California schools.

#### ***(v) Revolving Loan Fund***

California elects to reserve part of its 2010–15 CSP grant funds to expand the state's existing California Charter School Revolving Loan Fund. The Fund, created pursuant to *EC* Section 41365, provides loans to a chartering authority for charter schools or directly to a charter school that qualifies to receive funding. Priority for loans is given to new charter schools

for startup costs. Loans are not made to charter schools that are a conversion of an existing public school or that have obtained renewal of their charter. Loan amounts shall not exceed two hundred fifty thousand dollars (\$250,000) over the lifetime of the charter school.

In making a determination as to the approval of a charter school's loan application, *EC* Section 41635 states that the State may consider all of the following: (1) soundness of the financial business plans of the applicant charter school; (2) availability of the charter school of other sources of funding; (3) geographic distribution of loans made from the Fund; (4) the impact that receipt of funds received pursuant to this section will have on the charter school's receipt of other private and public financing; (5) plans for creative uses of the funds received pursuant to this section, such as loan guarantees or other types of credit enhancements; and (6) the financial needs of the charter school.

California estimates that an additional 610 charter schools will open in the 2010–15 CSP grant period. Of these 610 charter schools, California estimates that 50 percent, or approximately 305 charter schools, would be eligible and approved to receive a revolving loan in the next five years. California will use up to ten percent of the 2010–15 CSP grant award to replenish the Fund to support new charter schools throughout the state, pursuant to the requirements of ESEA Section 4204(f)(5).

***(vi) Waivers***

California respectfully requests that the Secretary provide waivers for the following requests:

**Request 1: Multiple Charter Schools Established Under a Single Charter**

A waiver was granted (letter dated October 28, 2008 from Dean Kern) to California to award planning and implementation funds to multiple charter schools established under a single charter (See Attachment 4). California intends to continue this practice by awarding sub-grants to multiple charter schools established under a single charter when the single charter meets the definition of a “statewide benefit charter school,” and where each of the charter schools under

the single charter meet the definition of “charter school.” If the current waiver must be extended as a requirement of this application process, this constitutes a request to do so.

**Request 2: Extension of the Grant Period to Five Years (60 Months)**

California requests a waiver of ESEA Section 5202(c)(1), which limits a state educational agency to a three-year CSP grant period. A five-year, or 60-month grant, will enable the state to achieve the objectives and performance measures established in this grant application. Charter school developers will benefit from charter development technical assistance (funded through state operations funds) and progress into the planning and implementation grant phase. Dissemination grant activities can be implemented earlier in the grant cycle and then disseminated by the state over a longer period of time rather than near the end of a three-year grant cycle. Three-year awards do not provide the state the necessary time to fully evaluate new charter schools' student performance. State assessment results are not available for new charter schools until the beginning of the second year of operation; and in order to fully evaluate the quality of the education programs offered by new charter schools under the CSP, the state must wait until the beginning of a charter school's fifth year of operation to have three statistically significant data points to review.<sup>2</sup>

**Request 3: Use of Charter School Program Planning and Implementation Funds for Personnel Salaries for the First Operational Year**

California requests a waiver for the use of CSP P/I funds by sub-grant recipients for personnel salaries through the sub-grantee's first operational year. Correspondence with the charter community has revealed that a primary concern to charter schools is the receipt of adequate funding sufficient to cover personnel costs during its first year of operation, that critical

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<sup>2</sup> State API System: Year One: no state assessment data available. Year Two: first Growth API in fall, first Base API in spring. Year Three: second Growth API in fall (to be compared with first Base API from previous spring), second Base API in spring. Year Four: third Growth API in fall (allows the second data comparison with second Base API from previous spring), third Base API in spring. Year Five: fourth Growth API in fall (allows the third data comparison with third Base API from previous spring), fourth Base API in spring.

time when schools are building-up student enrollment. Sustainability of new schools is dependent on timely receipt of funds from the state. This is especially dire for new charter schools who do not have a district to absorb and/or loan resources to help them survive the shortfall. California is in agreement with the ED that personnel costs should be sustained through apportionment funding; however, given California's extenuating budgetary circumstances, the state strongly requests consideration for personnel costs to be allowable expenditures for CSP sub-grantees for the 2010–15 award.

Due to the state's critical fiscal and budget crisis, apportionment funding has been delayed for up to two months for new charter schools. For example, a charter school that opens in August may not receive its first apportionment funds until mid-to-late October. To make matters worse, state-mandated deferrals resulting from the budget gap go into effect in February 2011, which will defer apportionment disbursements up to 90 days. Schools receive two apportionments per year, in February and July. Further, state law notes deferral payments may be repeated consecutively, depending on the needs of the state.

California will disallow personnel costs beyond the first operational year, and further will require sub-grantees to attain student enrollments of at least one hundred by the end of the first year of operation, or an enrollment sufficient to meet program requirements, including personnel costs. Stabilized enrollment and the resultant funding/cash flow will allow schools to develop fiscal reserves necessary for the sustainability of the school beyond the duration of the sub-grant period.

#### **Request 4: Interpretation of the Peer Review Process**

California requests a waiver to the interpretation of ESEA Section 5204(c), which requires a peer review process to review applications for CSP funds. The State respectfully requests that CDE and SBE personnel be approved to serve as the primary peer reviewers of P/I sub-grant applications. In addition to CDE and SBE reviewers, external peer reviewers are enlisted to score an application when there is a scoring anomaly among the CDE and SBE

reviewers. Due to the high volume of grant applications received on a continuous basis during the CSP grant cycle, using CDE personnel as the primary reviewers provides the most seamless, efficient, and expedient method for conducting sub-grant application scoring. To further strengthen California's application sub-grant review process, the ACCS, an advisory body to the SBE, and the SBE will review and approve the 2010–15 sub-grant scoring rubric. The CSP sub-grant application review process is explained in greater detail in *Part III: Selection Criteria (iv)*.

#### **Request 5: Use of Dissemination Grant Funds**

California requests a waiver of ESEA Section 5204(f)(6), which establishes the requirements and allowable activities under the CSP dissemination program. As discussed in *Part II: Application Requirements*, section (i), California's fourth objective of the 2010–15 CSP grant is to disseminate best practices from high-quality charter schools to charter and non-charter schools throughout the state, with a focus on practices that have a measured impact on increasing student achievement. California's dissemination sub-grant program, which will be detailed in full in the dissemination sub-grant RFA, will encourage high performing charter school sub-grant applicants to develop partnerships with the state's leading charter school organizations and charter school service providers to design and implement effective and efficient dissemination programs. As a leader in the charter school movement since 1992, California is committed to expanding those practices that have been proven to improve student achievement to the widest possible audience. Over the past 18 years, California has been an advocate and supporter of charter school partnerships that deepen capacity of the disseminating charter schools and broaden the impact of these projects on strong charter school development and public school students' education experiences.

California respectfully requests a waiver of ESEA Section 5204(f)(6) to fully implement the design of its dissemination sub-grant program and allow flexibility in the applicant requirements and eligible activities allowed under the CSP dissemination program. California

commits to ensuring that partner organizations retain less than a majority of the administrative duties for the sub-grant, perform less than a majority of the activities, and receive less than a majority of the sub-grant funds than the charter school applicant itself, as applicable.

***(vii) Compliance with the Individuals with Disabilities Education Act***

Both federal law and *EC* Section 47646 require LEAs to serve children with disabilities who attend charter schools in the same manner and to the same extent as they serve children with disabilities in traditional public schools. The Individuals with Disabilities Education Act (IDEA) provides clear requirements of services for eligible students with disabilities. Charter school flexibility with regard to special education law and regulation is limited. Charter schools are not relieved from mandated special education responsibilities with regard to students with disabilities, and their parents retain all their rights guaranteed under IDEA (34 *CFR* Section 300.209[a]). On March 30, 2009, the Office of Special Education Programs, ED, noted that a charter school, as an LEA, must ensure that children with disabilities are provided a full range of placement and special service options. *EC* Section 47640 requires that a charter school LEA must comply with all pertinent IDEA regulations. Charter schools are entitled to participate in state and federal funding for special education in the same manner as any other public school.

California law requires that a charter petition contain a reasonably comprehensive description of the school's proposed educational program for students with disabilities. The description of the educational program of the school, as required by *EC* Section 47605(b)(5)(A), must address how the charter school will meet the needs of students with disabilities. In addition, the charter must specify the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of *EC* Section 47641; the process to be used to identify students who qualify for special education programs and services; how the school will provide or access special education programs and services; the school's understanding of its responsibilities under law for special education pupils; and how the school intends to meet those responsibilities.

In California, all charter schools are entitled to receive special education services. These services are coordinated through Special Education Local Plan Areas (SELPA). The concept of a SELPA is unique to California. SELPAs are made up of LEAs, charter schools that are LEAs for special education purposes, and COEs within particular geographic regions. The creation of a SELPA requires the approval of the county superintendent of the corresponding geographic area. Each SELPA cooperates with the county superintendent of schools and school districts in the geographic area to ensure that the SELPA has compatible special education programs with other SELPAs within the county.

Until recently, charter schools were not able to join a SELPA other than the one to which its charter authorizer belonged. At its January 2010 meeting, SBE acted to expand the options available to charter schools when applying for membership as an LEA in a regional SELPA. The SBE's action provides charter schools the opportunity to apply for SELPA membership and waive current geographic restrictions that exist through the SBE's size and scope requirements. The SBE's action also included approval of four SELPA Regionalization Models, referred to as CHELPAs, to serve charter schools that are not in their geographic service area. Another SELPA option in California is a statewide CHELPA that incorporates charters throughout the State. A charter school may also operate as its own SELPA, but this option is typically exercised only by California's more experienced, well-established, and financially-stable charter schools. The multiple SELPA models provide charter schools with a variety of options to serve students with disabilities other than those that may be available through their local authorizer's SELPA.

Charter schools in California may choose their operational status for the purposes of providing special education services, either as a "school of the district," or as an LEA. For charter schools that operate as a "school of the district" for purposes of special education, the specific manner in which special education will be handled is typically detailed in an MOU between the charter school and its authorizer. Options range from the charter school functioning exactly as any other school of the authorizer, to the charter school taking responsibility for the

delivery of some or all aspects of special education instruction and services. The MOU typically covers arrangements such as the way special education services will be delivered given the charter school's instructional delivery model, specialized personnel (e.g., certified special education teachers, administrators, related services personnel), and transportation. However, regardless of the arrangements set forth in the MOU, the charter authorizer retains responsibility for ensuring compliance with federal and state special education laws.

Another option is for a charter school to operate as an LEA for special education purposes. Under this option, the charter school would be required to join one of approximately 120 SELPAs statewide. Charter schools opting to act as an LEA for special education purposes assume legal responsibility for compliance with federal and state special education laws; however, the charter authorizing LEA still retains general oversight authority over the charter school.

Charter schools may change their operational status for special education purposes provided that the school gives at least one year's notice to the SELPA it plans to exit from and the SELPA it plans to join, and provided that acceptance to the new SELPA is granted. The CDE reviews all changes in SELPA membership to ensure the SELPA and the charter have the capacity to comply with federal and state special education laws, especially if the charter will be a member of a SELPA that is not located in the same geographic area as the charter school.

California's monitoring process, known as the Quality Assurance Program, consists of five components: (1) verification reviews; (2) coordinated compliance self-reviews; (3) complaints monitoring; (4) procedural safeguards; and (5) the local plan. Charter schools are held accountable for special education in the same manner as all public schools, and are fully included in the quality assurance process as outlined below:

- First, each SELPA must submit a local plan consisting of an annual budget and service plan.

- Second, the CASEMIS data system generates indications of school district performance on SSPIs and federal and state timeline compliance (e.g., annual review of individualized education programs (IEPs) and triennial reevaluations).
- Third, the CDE collects and analyzes ongoing school district complaint and due process histories to help ensure that State and federal laws and regulations are implemented. The CDE and LEAs use the information gathered to identify concerns to focus the special education self-review (SESR) and verification review (VR) processes.

### **Part III: Selection Criteria**

***(i) The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students to achieve State academic content standards and State student achievement standards***

The CSP's contribution in assisting educationally disadvantaged and other students in achieving State and national content standards is described in *Part II: Application Requirements*, section (i), including California's four objectives for the CSP grant; the steps the State will take to inform teachers, parents, and communities of the California CSP grant; and how the State will disseminate best or promising practices of charter schools to each LEA in California.

***(ii) The Degree of Flexibility Afforded by the SEA to Charter Schools under the State's Charter School Law***

California's charter school law provides a maximum amount of flexibility and autonomy to charter schools, which allows the necessary latitude to create and operate effective and innovative educational programs. The "mega-waiver" State law under *EC* Section 47610 states that charter schools shall comply with all charter school laws and the provisions set forth in its

charter, but is otherwise exempt from the laws governing school districts except for those sections pertaining to teacher retirement plans, the charter school revolving loan program, laws establishing the minimum age for public school attendance, and the California Building Code (See Attachment 5).

### **Flexibility in Types of Charter School Developers**

California *EC* Section 47601 states that “It is the intent of the Legislature ... to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure...” In addition, *EC* Section 47605(a)(2) provides that any one or more persons seeking to establish the charter school may circulate a petition to start a charter school. Although school districts and County Offices of Education (COEs) are permitted in California law to develop charter schools, it has been and will continue to be a CSP sub-grant application requirement that only highly-autonomous charter schools will receive CSP funds. Finally, *EC* Section 47604 provides the ability of charter schools to elect to operate as, or be operated by a non-profit benefit corporation (CSP funds will not be awarded to for-profit entities.)

### **Flexibility in Charter School Authorizing Entities**

*EC* Section 47605(j)(1) identifies the three authorizing entities in California allowed to approve petitions for charter schools: school districts, COEs, and the SBE. By law, chartering authorizers cannot deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the charter petition, setting forth specific facts to support the denial. If a petition is denied at the school district level, California law provides clear appeal processes for denials at each level. First, the petitioners can appeal to the COE for charter approval. COEs also have the authority under *EC* sections 47605.5 and 47605.6 to approve charter schools that meet unique countywide needs. Second, if a charter petitioner is denied at the COE level, they can then appeal to the SBE for approval. In addition, the SBE also authorizes “statewide benefit” charter schools pursuant to *EC* Section 47605.8 to provide

instructional services that cannot be provided by a charter school operating in only one school district or county. Statewide benefit charter schools adhere to all other charter laws with the exception of geographic limitations. This system of multiple authorizers, charter types, and a multi-tiered appeals process ensures that there is sufficient flexibility for innovative ideas to develop in charters across California.

### **Flexibility in Charter School Programs**

Although state law requires charter schools to teach to the State academic content standards, charter schools have maximum flexibility in the methodology and instructional resources they use to meet the needs of their targeted student population. State law under *EC* Section 47601 codifies State legislative intent that charter schools have the flexibility to design innovative instruction and delivery methods to meet the wide variety of learning modalities and student needs. Charter schools are, however, required to participate in California's accountability program, including all State standardized testing programs, and are held to the same or higher accountability standards as other public schools. *EC* Section 47607(b) requires (with some exceptions) that the authorizing entity ensure the charter school is meeting at least one of the four academic criteria listed in the statute as a condition of renewal of a charter.

### **Flexibility in Receipt of Public Funds**

Under *EC* Section 47630, charter schools annually elect to be direct-funded or locally-funded. Direct-funded charter schools receive formula and discretionary funds directly from the state, are regarded as local education agencies, and assume responsibility for administrative services that other public schools normally receive from their authorizing entity. Direct-funded charter schools may, at their discretion, contract with their authorizing LEA or another entity to provide these services. Charter schools that elect to be locally-funded receive their share of state and federal funding through their authorizing entities, and generally receive a greater amount of administrative services from them.

Regardless of the funding model selected, charter schools are free to spend their general apportionment funds without the requirements that bind traditional public schools, except where prescribed by law. For example, under *EC* Section 47634.1(a), the State categorical block grant provides funds in lieu of the charter school's requirement to apply for and comply with separate state categorical programs. As one of several components of State funding for California's charter schools, the categorical block grant (consolidated from approximately 25 statewide categorical programs) for charter schools can be used for general purposes based on the school's average daily attendance (ADA), with supplemental funding provided for educationally disadvantaged students including economically disadvantaged students and English learners. Additional funding under general purpose funding, charter school general-purpose entitlement, additional categorical funds, and State lottery funds make up the balance of funding that any other LEA in the State would receive. *EC* Section 47636 allows charter schools in California to negotiate with an LEA for an additional share of other revenues as well.

***(iii) The Number of High Quality Charter Schools to be Created in the State***

California's 2010–15 CSP grant application requests funding for the ability to provide financial and programmatic assistance for the planning and implementation of 610 new charter schools during the five-year grant period. California estimates that an additional 610 charter schools will open in the 2010–15 CSP grant period and will be eligible to apply for CSP funding. Table 1, below, identifies the estimated yearly growth from 2010–15. The information in this table is based on projections for the number of charter schools that will open versus the number that receive an official charter number from the CDE (referred to as “numbered” schools) because a small percentage (five to six percent) do not open after becoming numbered.

**Table 1. Estimated Yearly Growth of Charter Schools in California**

<b>Year</b>	<b>New Charter Schools Opening</b>	<b>Total Charter Schools in the State</b>
2009	---	809 active
2010	111	920 estimated
2011	117	1,037 estimated
2012	122	1,159 estimated
2013	127	1,286 estimated
2014	133	1,419 estimated
<b>Total</b>	<b>610</b>	<b>1,419 to date</b>

California’s commitment to ensuring that every new charter school in the State is informed about the various federal funding opportunities and programs in which the charter school may participate is addressed in *Part II: Application Requirements*, section (ii).

California’s commitment to ensuring that each charter school in the State receives a commensurate share of Federal education funds is addressed in *Part II: Application Requirements*, section (iii).

***(iv) The Quality of the Management Plan for the Proposed Project***

The SBE and the CDE are committed to ensuring that the CSP grant will achieve the results intended by federal statute. As a 2007–10 recipient of federal CSP funds, California has funded 175 sub-grants as of the date of this application (additional sub-grant applications are still being processed), administered a dissemination sub-grant program that currently has eight active projects, and worked cooperatively with the U.S. Department of Education Office of Innovation and Improvement (OII) to improve the accuracy and usefulness of the state’s CSP accountability systems, as cited in the response to a comprehensive monitoring report conducted by WestEd California Monitoring Report (November 20, 2009) on the 2007–10 CSP grant.

The major components of the management plan for California’s 2010–15 CSP grant are:

- State Operations for Administrative Oversight

- Charter Development Technical Assistance
- Planning and Implementation Sub-grants (Local Assistance Funding)
  - Screening and Scoring Planning and Implementation Sub-grant Applications
  - Planning and Implementation Sub-grant Funding Structure
  - Estimated Number of Subgrants for 2010–15
- Sub-grant Technical Assistance and Monitoring
- Dissemination Sub-grants (addressed in *Part II: Application Requirements*, sections (i) and (vi), and *Part III: Selection Criteria*, section (vi))
- Program Evaluation (addressed in *Part III: Selection Criteria*, section (vii))

### **State Operations for Administrative Oversight**

Administrative management and implementation of the CSP grant will be conducted by the CSD. The SBE will provide oversight of the CSP grant. SBE staff will represent the SBE to ensure that communication between the CSD and SBE is managed in a way that is timely and accurate; will monitor the management plan to ensure that project activities are completed on time, including dispersal of grant funds, implementation of grants management systems, project evaluation, and timely and successful funding to charter schools for all programs to which they are eligible; and will assist the SBE in its policy-making role with charter schools in general.

Funding, as requested in this application, will support a total of 12.2 positions at the CDE and 1 position in the SBE. Table 2 identifies the administrative oversight by level of staff and responsibilities. Resumes for all staff (including those who work in the CSD, but are not funded by the CSP) are included in the application in order to demonstrate the high quality of background and expertise that exists in the CSD.

**Table 2. Administrative Oversight**

<b>Administrative Oversight and Full-time Equivalent (FTE) Personnel Devoted to the CSP Grant</b>
<p><b>Leadership and Management: 1.5 FTE</b></p> <p>The Management team has extensive expertise in charter school policy and national and state trends; the team has overall responsibility for CSP funding by providing supervision and direction to staff. The management team oversees the hiring and supervision of staff, staff development, work assignments, completion of work and meeting timelines for critical milestones of the grants objectives and performance measures. The CDE Charter Schools Division Director acts as the Project Director for the CSP. The CDE and the SBE maintain the majority of contact with federal personnel, and represent the department at CSP national-level meetings.</p>
<p><b>Education Program Consultants: 6.3 FTE</b></p> <p>The Education Program Consultants have policy expertise in charter authorizing, special education, the NCLB, fiscal issues, grants management, instructional leadership, training, and audits. Consultant personal are responsible for daily operations of the CSP including the RFA development, reading and scoring sub-grant applications, program implementation, technical assistance to sub-grantees and other charter schools, resolution of grants management issues, oversight and monitoring for the contractual agreements for the charter development technical assistance component and the external evaluation. Consultants conduct training for sub-grantees and conduct site and monitoring visits, review and approve quarterly benchmark reports, and billing statements from contractors.</p>
<p><b>Analysts: 3.2 FTE</b></p> <p>The analysts have expertise in sub-grant application intake and screening, establishing accounting and data collection systems and monitoring fiscal claims for grant payments, reviewing and approving quarterly benchmark reports in order to approve payments, and issuing timely payments to sub-grantees. Analysts conduct training for sub-grantees and conduct site and monitoring visits.</p>
<p><b>Administrative Support: 1.2 FTE</b></p> <p>The administrative support staff have expertise in maintaining records and filing systems, including Access databases, Excel reports, and hard copy files.</p>
<p><b>Total FTE devoted to the CSP: 12.2 FTE</b></p>

Work assignments for California’s CSP grant are distributed among management, consultant, and analyst personnel serving as the grants management team. A weekly grants management team meeting is held to review the status of incoming applications, discuss and

resolve issues related to grant administration, and determine ongoing sub-grantee technical assistance needs. These meetings are attended by a manager, consultants, and analysts, as well as SBE staff and/or liaisons to determine whether there are policy issues that require additional consideration by the SBE. Additional meetings and strategy sessions for grant specific work are scheduled as needed.

To meet the needs of both new and continuing sub-grantees, the grants management team holds a quarterly Webinar for the dual purpose of providing an orientation and technical assistance. The Webinar format has proven successful in offering “just in time” training on such issues as new sub-grantee orientation; accurate and timely completion of quarterly benchmark reports; and providing a question and answer period. Webinars are also emailed to sub-grantees for ease of reference and access at any time during the grant period. Responding to questions and providing technical assistance to prospective sub-grant applicants is managed by one-to-one contact via telephone and e-mail.

Improvements to CDE administrative procedures will be made under the 2010–15 grant based on the findings of the WestEd California Monitoring Report (November 20, 2009), including, but not limited to:

- On-line application improvements to collect documentation:
  - How the charter authorizer will provide for continued operation of the school once the CSP grant has expired
  - The need for a waiver of any federal requirements
  - An applicant’s notice to its authorizer of intent to apply for CSP funds
  - Proof of non-profit status
- Additions to the sub-grant Quarterly Benchmark Report (QBR) to monitor:
  - Lottery procedures and processes
  - Continuing autonomy; any changes to the school’s governance structure, and the meeting schedule of the governance board

- The school continues to meet the federal term “charter school”
- Regular outreach efforts to teachers, parents and the community; parental satisfaction is measured and improvements made based on parent input
- A timely transfer of student records to and from charter schools
- P/I sub-grant objectives are met
- P/I budget costs adhere to allowable, allocable and reasonable costs approved for CSP grant funds

### **Charter Development Technical Assistance**

Funding, as requested in this application, will support a new component to California’s CSP grant for 2010–15. Beginning in the second year of the grant, and continuing through the remainder of the grant, state administrative funds will be used to offer charter development technical assistance on a statewide basis to charter school developers embarking on establishing a new charter school.

To implement the charter development technical assistance component of the CSP grant, the CDE, in conjunction with the SBE, will conduct a competitive funding process during year one of the grant cycle to select contractors with expertise in the development of high-quality charter schools. The selected sub-contractors will be responsible for providing technical assistance that enhances the skills of charter developers to write comprehensive charters and effectively plan the opening of new schools that meet all requirements of California’s charter law; promote governance and leadership capacity for the effective operation of a charter school; use research-based education reform models and resources; are financially sustainable, especially during the ongoing state budget crisis; ensure parent and student choice; and operate autonomously.

Through charter development technical assistance, California will increase the capacity of charter schools that do not have the benefit of the infrastructure that charter management organizations offer. Charter development technical assistance will support teacher, parent and

community developed charters, as well as influence the expansion and replication of successful charter models. Efforts to ensure successful charter start-up through charter development technical assistance, coupled with the benefits of P/I funding, will ensure charter school quality and sustainability.

California estimates awarding up to five charter development technical assistance contracts from State administrative funds up to \$1.86 million. Contractors providing the charter development technical assistance may include charter associations, non-profit organizations, and consulting and legal organizations that are actively involved in the establishment of high quality charter schools in California, and that possess the qualifications to support the establishment of high-quality charter schools.

#### **Planning and Implementation Sub-grants (Local Assistance Funding)**

Confirmation of approval for the 2010–15 CSP grant will launch the posting of the new 2010–15 Request For Applications (RFA) to the CDE Web site (soon to be under development and approved by the SBE) and numerous press releases about CSP funding availability. The RFA contains relevant information about eligibility for P/I sub-grant funding; levels of funding; federal and state goals, objectives, and requirements; and how to obtain technical assistance from the CDE. Once the new RFA is available it can be downloaded from the CDE Web site by any interested party, and completed and submitted anytime on-line.

In California, charter developers may submit a charter petition for approval to authorizing entities throughout the year. To accommodate the flexible year-round authorization process, the CDE began accepting CSP sub-grant applications on a non-competitive and continuous basis under the 2007–10 CSP grant. The continuous funding process will be utilized again for the 2010–15 grant.

The sub-grant application process provides an efficient and accurate Web-based application system that is fair, equitable, and transparent to all applicants. This application

process allows new charter schools to be eligible to apply for a P/I sub-grant as soon as their charter is approved.

### **Screening and Scoring Planning and Implementation Sub-grant Applications**

The application screening process is outlined in detail in the RFA and includes reviewing an application against a checklist of eligibility factors, which ensure that a school has non-profit status; allowable costs are indicated in the budget; the school is highly-autonomous; the public random lottery system meets federal standards; the thoroughness of the overall application; and all other ESEA requirements pertinent to charter schools is met.

At the U.S. Department of Education's CSP Project Director training in December 2008 in Washington D.C., the attending CDE staff understood the discussion among federal and SEA participants to indicate that peer reviewers may include SEA staff. The California process for sub-grant application scoring is based on this understanding and uses CDE and SBE staff to conduct the initial and primary sub-grant application scoring process. External peer reviewers are enlisted to score an application when there is a scoring anomaly among the CDE and SBE reviewers. Due to the high volume of grant applications received on a continuous basis, this system provides the most seamless, efficient and expedient methods for conducting sub-grant application scoring. To further strengthen California's application sub-grant review process, the ACCS, an advisory body to the SBE, will review and approve the 2010–15 sub-grant scoring rubric.

If the initial application screening and/or scoring finds an applicant is ineligible for funding (usually due to lack of compliance with federal or state law), the CDE will provide technical assistance to the applicant in an effort to help the charter developer reach a successful point of eligibility for CSP funding. In cases where eligibility requires changes to the approved charter, the developer may need to seek approval of material revisions to the charter, and then resubmit an application for CSP funding, up to the end of the school's first year of operation.

Applications are subject to scoring according to a published rubric in the RFA which includes, but is not limited to, the following:

1. The likelihood that the school's education program, including goals and objectives, curriculum and strategies, assessment, and evaluation will result in increased student academic performance as measured by the State's standardized testing program.
2. The likelihood that the charter school's management plan, which describes the governing board's capacity, organizational structure, roles and responsibilities, and data driven decision-making to inform instruction and evaluations, will create, support, and sustain a high-quality charter school.
3. The level of community and parent support for the proposed school.
4. The schools financial accountability system.
5. The degree of flexibility and level of autonomy the school has over budget, expenditures, personnel, and daily operations.

### **Planning and Implementation Sub-grant Funding Structure**

To develop a fair and equitable funding structure for California's 2010–15 CSP grant, the CDE met with stakeholders on multiple occasions to establish the sub-grant funding levels to support the development of an estimated 610 new charter schools in the State in the next five years. A sub-grant award structure was developed to incentivize developers to open charter schools in the attendance area of the state's poorest performing schools

The funding structure essentially requires that a school open with an enrollment of 50 or more students to qualify for P/I sub-grant funds. This enrollment level was determined as the threshold level needed for a school to attain the level of apportionment required to sustain operations when the P/I sub-grant ends. However, a school will may still be eligible to apply for sub-grant funds on a case-by-case basis if the enrollment level is 50 students or less and if the school can submit a business plan for how it will be sustained, due to lower apportionment, after the grant period ends. The funding level for schools with enrollment between 50 and 99

students will be prorated by the number of students enrolled in combination with the Funding Category for which the school qualifies.

The proposed funding amounts are identified in Table 3: Proposed 2010–15 Maximum Sub-grant Award Amounts. Additional information to explain the funding levels will be documented in greater detail in the 2010–15 RFA. The RFA will be issued immediately upon notice that California’s CSP grant application is approved.

**Table 3. Proposed 2010–15 Maximum Sub-grant Award Amounts**

Criteria	Maximum Award	Distribution of Funds		
		Planning Year	Implementation Year 1	Implementation Year 2
		Or if school is open prior to receiving grant funds:		
		Implementation Year 1	Implementation Year 2	
<p><b>A.</b> May be awarded if the Applicant’s school has not been awarded Title 1 SIG funding and meets one of the following criteria:</p> <ul style="list-style-type: none"> <li>• Applicant’s school is located, or a majority of the students served by the Applicant’s school reside in an attendance area of a school that has been determined to be persistently lowest-achieving, or eligible for Title I SIG funding.</li> </ul> <p style="text-align: center;"><b>Or</b></p> <ul style="list-style-type: none"> <li>• Applicant’s school is located, or a majority of the students served by the Applicant’s school reside in an attendance area of a school that is in PI Year 3, 4 or 5, and has an API decile rank of 1 or 2.</li> </ul> <p>Applicant’s school may be a conversion or classroom-based school.</p>	\$575,000	\$225,000	\$200,000	\$150,000

Criteria	Maximum Award	Distribution of Funds		
		Planning Year	Implementation Year 1	Implementation Year 2
		Or if school is open prior to receiving grant funds:		
		Implementation Year 1	Implementation Year 2	
<p><b>B.</b> All other Applicants provided that Applicant's school has not been awarded Title 1 SIG funding. Applicant's School may be a conversion, classroom-based, or non-classroom based charter school.</p> <p>If Applicant is a non-classroom based charter school, Applicant may be awarded if Applicant's school has not been awarded Title 1 SIG funding and meets one of the following criteria:</p> <ul style="list-style-type: none"> <li>Applicant's school is located, or a majority of the students served by the Applicant's school reside in an attendance area of a school that has been determined to be persistently lowest-achieving, or eligible for Title I SIG funding.</li> </ul> <p style="text-align: center;"><b>Or</b></p> <ul style="list-style-type: none"> <li>Applicant's school is located, or a majority of the students served by the Applicant's school reside in an attendance area of a school that is in PI Year 3, 4 or 5, and has an API decile rank of 1 or 2.</li> </ul>	\$375,000	\$175,000	\$100,000	\$100,000
<p><b>C.</b> All other non-classroom based charter school Applicants that do not meet Criteria B.</p>	\$250,000	\$75,000	\$100,000	\$75,000

Sub-grantees will also be required to devote a portion of their P/I sub-grant funds to targeted capacity building activities with the exception of successful charter management organizations or demonstration that applicants have already engaged in this activity prior to grant application, in an effort to increase the likelihood new charter schools will gain greater sustainability through such activities. The 2010–15 RFA will provide guidance on this requirement as a condition of funding. Completion of the capacity building activities will be monitored and verified by the CDE through benchmark reports tied to funding reimbursement. The targeted capacity building areas include, but are not limited to:

- Building and sustaining data systems that measure student success and inform teachers and principals in how they can improve their practices;
- Opportunities for teachers to plan, and engage in professional development within and across grades and subjects;
- Instructional development and improvement systems with periodic reviews to ensure that the curriculum is being implemented with fidelity, and is having the intended impact on student achievement, and is modified if ineffective;
- Instructional improvement systems for technology-based tools and other strategies that provide teachers, principals, and administrators with meaningful support and actionable data to systemically manage continuous instructional improvement.
- Leadership and Governance to overcome initial start-up challenges and establish a thriving, financially viable charter school
- Business and personnel services
- Strategic planning

### Estimated Number of Subgrants for 2010–15

The estimated number of sub-grants awarded through California’s 2010–15 CSP grant will increase considerably, in relation to charter school growth, as previously identified in Table 1. Table 4, below, identifies the estimated number of sub-grant awards projected for each year of the 2010–15 grant, along with the level of local assistance federal funding needed to support the P/I sub-grants for new charter schools.

**Table 4. Estimated Sub-grant Awards and Federal Funds by Project Year**

<b>Project Year 1 2010–11</b>	<b>Project Year 2 2011–12</b>	<b>Project Year 3 2012–13</b>	<b>Project Year 4 2013–14</b>	<b>Project Year 5 2014–15</b>
111 new sub-grants	117 new sub-grants	122 new sub-grants + up to 10 dissemination subgrants	127 new sub-grants + up to 10 dissemination subgrants	133 new sub-grants
\$44.3 M	\$52.8 M	\$55.4 M	\$57.7 M	\$60.2 M

### Sub-grant Technical Assistance and Monitoring

CSP grant-funded staff will maintain contact with each P/I sub-grantee to ensure progress is made toward sub-grant benchmarks, and to provide technical assistance as required or requested. Staff conduct a file desk review within the first year of funding to determine that all appropriate documents are contained in the sub-grant file. Staff review sub-grantee’s quarterly benchmark reports to track progress toward sub-grant objectives for each charter school funded with CSP grant funds. Staff also verify the status of each P/I sub-grantee school with the school’s authorizer to ensure that the school is meeting its CSP benchmarks and is in good standing with its charter. If indicated, staff conducts an onsite review of the sub-grantee’s school. Each school will be officially monitored in their first year of the Implementation sub-grant.

**California 2010–15 CSP Grant Objectives and Performance Measures**

**Objective 1. Increase the Number of High-Quality Charter Schools in California**

Performance measure 1.1

The CDE will contract with up to five organizations to implement charter development technical assistance to new charter developers in years two through five of the grant period.

Performance measure 1.2

Ninety percent of charter developers receiving charter development technical assistance will receive approval of their charter by an authorizer within two years of completing charter development technical assistance.

Performance measure 1.3

Eighty-five percent of charter developers receiving charter development technical assistance will open a charter school within one year of their charter being authorized.

Performance measure 1.4

A total of 580 CSP funded charter schools will open during the grant period August 1, 2010 – July 31, 2015.

Performance measure 1.5

Eighty percent of charter authorizers will report better than average academic performance of charter schools under their authorization and funded by the CSP, as measured by the API.

<b>Responsibility</b>	<b>Timeline</b>	<b>Milestones</b>
CDE: RFA process is conducted to select contractors to provide charter development technical assistance	Year 1 of grant (August 2010 – July 2011)	RFA is issued; contractors selected and placed in contract to begin work as of August, 2011
CDE: Track success rates of charter developers receiving charter authorization is developed and implemented	Year 1 of grant (August 2010 – July 2011)	Data collection system is completed and implemented
CDE: Track success rates of charter developers opening their school	Year 1 of grant (August 2010 – July 2011)	Data collection system is implemented
CDE: Track the annual number of new charter schools opening in the CSP grant period.	Annually	Data collection system is implemented

**California 2010–15 CSP Grant Objectives and Performance Measures**

**Objective 2. Strengthen Charter School Sustainability Through Capacity Building**

Performance measure 2.1

One hundred percent of CSP funded charter schools, with the exception of successful charter management organizations or demonstration that applicants have already engaged in this activity prior to grant application, will complete governance training by the end of year one of their implementation sub-grant.

Performance measure 2.2

One hundred percent of CSP funded charter schools will complete fiscal management training by the end of year one of their implementation sub-grant.

Performance measure 2.3

Eighty percent of CSP funded charter schools will have developed teacher effectiveness measures that include student achievement data as a substantial portion of the teacher evaluation.

Performance measure 2.4

Ninety percent of CSP funded charter schools will report that services received from its charter authorizer (including facilities and other services) are satisfactory.

<b>Responsibility</b>	<b>Timeline</b>	<b>Milestones</b>
CDE: Create benchmark reporting instrument to track completion of capacity building activities	Spring – summer 2010 prior to new CSP grant startup	Benchmark (data collection) report is developed; on-line access is operational
CDE: Sub-grantees receive training on completion of benchmark reports	Quarterly, beginning August 2010	Quarterly training is implemented

**Objective 3. Improve Academic Achievement of Charter School Students**

Performance measure 3.1

Seventy-five percent of CSP funded charter schools will be located in the attendance areas of persistently lowest-achieving schools.

Performance measure 3.2

By the end of the CSP grant, seventy-five percent of all charter schools operating for at least four years will have met or exceeded their Average Yearly Progress (AYP) growth target for each sub-group.

<b>California 2010–15 CSP Grant Objectives and Performance Measures</b>		
<p>Performance measure 3.3 CSP funded charter schools will report a minimum 80 percent year-to-year student retention rate.</p> <p>Performance measure 3.4 CSP funded charter high schools (excluding dropout recovery high schools) that have operated for at least five years will report a minimum 80 percent cohort graduation rate.</p>		
<b>Responsibility</b>	<b>Timeline</b>	<b>Milestones</b>
CDE: Track the location of where new charter schools open	Spring – summer 2010 prior to grant startup	Application data collection system is completed and implemented via on-line tracking system
<b>Objective 4. Disseminate Best Practices from High Quality Charter Schools</b>		
<p>Performance measure 4.1 The CDE will fund up to ten charter schools to disseminate best practices in increasing student achievement among charter schools and other public schools in California (in years three and four of the grant period).</p> <p>Performance measure 4.2 One hundred percent of dissemination sub-grantees will make at least one public presentation about their dissemination project at a meeting, conference or other education related training during the first year of their dissemination grant.</p> <p>Performance measure 4.3 One hundred percent of dissemination sub-grantees will make at least one public presentation about their dissemination project at a meeting, conference or other education related training during the second year of their dissemination grant.</p> <p>Performance measure 4.4 Partner schools will show accelerated rates of student achievement compared to prior years.</p>		
<b>Responsibility</b>	<b>Timeline</b>	<b>Milestones</b>
RFA process is conducted to select dissemination sub-grantees	January 2012	RFA is issued; sub-grantees are selected and project begin August 2012
CDE: Quarterly benchmark reports are reviewed	Quarterly once the sub-grant begins	Quarterly benchmark reports are submitted on time, with accurate

<b>California 2010–15 CSP Grant Objectives and Performance Measures</b>		
		information and are reviewed within 30 days of submission. Technical assistance is provided if need is indicated through the benchmark report.
CDE: Dissemination products are developed and delivered per the sub-grant agreement	Fourth quarter, year two of the dissemination project (estimated to be July 2014)	Products are distributed via multiple methods (described in application narrative)
CDE: Will evaluate student achievement results in partner schools	Yearly once the sub-grant begins, and at end of sub-grant	Release of Growth API in fall, and Base API in spring

***(v) The State Educational Agency’s Plan to Monitor and Hold Accountable Authorized Charter Agencies***

Local school districts and COEs are the primary charter school authorizers in California. With the numbers of charter schools increasing steadily, it is vital for local charter authorizers to be provided the professional development they need to hold charter schools accountable for improved student achievement. Currently, there are statewide and national education organizations that provide professional development for charter authorizers. These are not systemic trainings but have been provided on an as-needed basis or as requested by local authorizers. In the 2010–15 California CSP grant, the CDE will work with the National Association of Charter School Authorizers (NACSA) to create statewide capacity to develop and offer trainings to charter authorizers in the State. A minimum of two trainings a year will be developed and offered to charter authorizers.

The professional development will focus on how authorizers can strengthen their review processes and oversight of the charters they approve, ensure student achievement is improving, and overall compliance with charter law. These local trainings will provide authorizers with guidance on how to develop expected outcomes for charters; measures for evaluating academic performance, financial stability, governance, and organizational performance; compliance with all special education and English learner requirements; compliance with all other charter laws, including timelines and processes for charter approval, renewal, and revocation; best practices for enhancing communication between the charter school and the authorizer; and progress toward the specific measurable pupil outcomes and performance goals provided in the charter petition.

***(vi) The Quality of the Dissemination Activities and the Likelihood that Those Activities Will Improve Student Academic Achievement.***

California’s dissemination sub-grant program is described in *Part II: Application Requirements*, sections (i) and (vi).

***(vii) The Quality of the Evaluation to be Conducted of the Proposed Project.***

This section provides California's evaluation plan for the 2010–15 CSP grant. The evaluation design will be developed to assess the extent to which each of the program outcomes described under the project objectives outlined in this proposal to meet the goal of increasing Student Achievement that Leads to Closing the Achievement Gap has been achieved.

- Objective 1. Increase the Number of High Quality Charter Schools in California
- Objective 2. Strengthen Charter School Sustainability through Capacity Building
- Objective 3. Improve Academic Achievement of Charter School Students
- Objective 4. Disseminate Best Practices from High Quality Charter Schools

The CSD will enlist the assistance of the CDE Assessment, Accountability and Awards Division, Evaluation, Research and Analysis Unit and the SBE staff to develop the RFP which will describe the overall evaluation design. The CDE and the SBE will jointly approve an independent, external evaluator meeting study specifications per CSP and U.S. Department of Education, Policy and Evaluation Unit requirements. Work to implement the 2010–15 evaluation plan will begin immediately upon notice of CSP grant award approval.

Due to the contracting standards of the State of California, an evaluator may not be pre-selected and identified in this application. A competitive Request for Proposals (RFP) process will be developed jointly with the SBE to select an external evaluator for the 2010–15 CSP grant.

Eligible applicants for the evaluation contract may include non-profit organizations, institutions of higher education and/or private consultants who have extensive experience and meet minimum criteria including, but not limited to:

- Experience in conducting education program evaluations and knowledge about charter schools;
- Experience assisting State agencies in the planning, development, and implementation of program evaluation plans;
- Experience working with State level program staff in the refinement of methods to assess project objectives, performance measurements, and establishing internal data collection systems and data collection instruments.

It is anticipated that the evaluation contract will be in place by the third quarter of the first year of the CSP grant. This timeline will allow sufficient time to conduct the RFP process and execute the contract.

Under the RFP, applicants for the evaluation contract will be expected, at a minimum, to provide a detailed response to all research questions, data and data collection instruments, analytical methods and reports. Proposals will be reviewed based on the appropriateness of the proposed evaluation design and capabilities of the evaluation team to complete the work focused on the four objectives of the CSP grant.

The evaluator selected will have extensive experience in evaluating school district and school based programs, as well as academic achievement indicators and data. The evaluator will also have experience with prior education program evaluations and have utilized a variety of evaluation designs employing quantitative and qualitative methods of data collection. The evaluation team will conduct site visits, interviews, prepare and distribute surveys, and as needed, hold focus groups with key stakeholders. Contract specifications will also require the evaluator to collaborate with the SBE, and the CDE Assessment, Accountability and Awards Division, to collect data on academic achievement, analyze findings and assess academic achievement milestones.

Multiple methods of assessment will be incorporated into the evaluation plan for the 2010–15 grant period, to enrich the evidentiary base and to allow for multiple means of assessing project impact.

Based on the evaluation observations over the five-year grant period, the evaluation team will provide interim reports to advise the CDE and the SBE on improvements to administrative systems, data collection methods to support performance measures and training and technical assistance the CDE can offer to sub-grantees to achieve greater program success.

A combination of quantitative (student achievement data and charter school data) and qualitative data (survey and focus group results) will be collected. All quantitative and qualitative data will be collected annually.

Data collected and questions asked during the evaluation are likely to be related to, but not limited to:

- Demographic information about the community that the charter school serves or intends to serve
- Student achievement data, particularly results on state assessments for reading and mathematics, from the surrounding schools and once the charter school is open, from the charter school
- Rates of attendance, expulsions, graduation, transfers and other similar information
- Information about prospective students on waiting lists for the newly open school
- Information about parent and community participation and satisfaction as measured by focus groups
- A description of the activities completed and an analysis of their impact on the design and/or operation of the charter school

The evaluation will at a minimum answer the following research questions under each objective.

The CDE and SBE expect that the evaluator will fully develop the criteria and methodology for determining whether California's 2010 – 15 grant program was successful:

**Objective 1: Increase the Number of High-Quality Charter Schools in California**

1. How are CSP charter schools using grant funds to implement new high quality charter schools in California?
2. What percentage of the charter developers that received charter development technical assistance services through the five agencies that received CSP grants, received approval of their charter by an authorizer within one year? Within two years?
3. How many new high quality charter schools, by county and district, opened each year and in total of the grant period?
4. What percentage of charter authorizers reported better than average academic performance of charter schools under their authorization and funded by the CSP, as measured by the API?
5. What are the early signals that lead to high-quality charter schools, which the State can disseminate to charter authorizers in future CSP grants to increase the capacity of charter authorizers and create more high-quality charter schools in the State?
  - a. How can the State differentiate between different treatments of charter schools (e.g., faster approval of charter petitions, higher success rates, and greater sustainability) to improve the State's future CSP grants?
6. Do charter authorizers in the state follow the processes, procedures and timeline for charter approval, (*EC 47605*), renewal and revocation (*EC 47607*)?

**Objective 2: Strengthen Charter School Sustainability Through Capacity Building**

1. How are federal planning and implementation funds used to implement capacity building that increases sustainability of new charter schools?

2. At what rate did CSP charter schools close compared to charter schools that did not receive CSP grants?
3. What percentage of CSP funded charter schools completed governance training by the end of year one of their implementation grants?
  - a. Determine, the quality of training
  - b. Analyze and identify any barriers schools encountered in obtaining high quality training.
4. What percentage of CSP funded charter schools completed the fiscal management training by the end of year one of their implementation grant?
  - a. Determine, the quality of training
  - b. Analyze and identify any barriers schools encountered in obtaining high quality training.
5. What percentage of CSP funded charter schools developed a teacher effectiveness measurement system that includes student achievement data as a substantial portion of the teacher evaluation?
6. What percentage of CSP funded charter schools obtained Proposition 39 facilities versus other facilities solutions, as compared to non-CSP funded charter schools?
7. What percentage of CSP funded charter schools experienced problems in their petition for charter renewal concerning governance, as compared to non-CSP funded charter schools?
8. How available, accessible, and effective was the technical assistance provided by the CDE?

**Objective 3: Improve Academic Achievement of Charter Schools**

1. To what extent did student achievement change overall for all CSP charter schools since their inception? To what extent did student achievement change for numerically

significant student groups (e.g. English learners, Special Education, etc.) within the same period?

- a. How does the student achievement in these charter schools, overall and by student group, compare to non-charter public schools?
2. To what extent did student achievement change overall for all CSP charter schools located in the vicinity of persistently low-achieving schools since their inception? To what extent did student achievement change for numerically significant student groups (e.g., English learners, Special Education, etc.) within the same period?
    - a. How does the student achievement in these charter schools, overall and by student group, compare to non-charter public schools?
  3. To what extent did student achievement change overall for all CSP charter schools located in the vicinity of public schools that were closed as a consequence of a local educational agency (LEA) implementing a restructuring plan under section 1116(b) (8) of the ESEA since their inception? To what extent did student achievement change for numerically significant student groups (e.g. English learners, etc.) within the same period?
    - a. How does the student achievement in these charter schools, overall and by student group, compare to public schools?
  4. To what extent did CSP charter schools implement proven methods of improving student academic achievement in the following areas:
    - a. Professional development and teacher training programs
    - b. Use of data, including formative and summative assessments, to inform and improve instruction
    - c. Use of effective instructional strategies in the classroom to improve instruction (including, but not limited to differentiated instruction strategies)

5. What percentage of CSP funded charter schools reported a minimum 80 percent year-to-year student retention rate?
6. What percentage of CSP funded charter high schools (excluding dropout recovery high schools) that have operated for at least five years reported a minimum 80 percent cohort graduation rate?

**Objective 4: Disseminate Best Practices from High-Quality Charter Schools**

1. What percentage of sub-grantee schools made at least one public presentation regarding best practices during the first year of their dissemination grant?
  - a. Identify the number of California educators who attended the presentation.
2. What percentage of sub-grantee schools made at least one public presentation regarding best practices during the second year of their dissemination grant?
  - a. Identify the number of California educators who attended the presentation.
3. What percentage of students in partner schools showed improved student achievement?
4. What percentage of partner schools showed accelerated rates of student achievement compared to prior years? Of those schools, what was their rate of acceleration?
5. What is the level of utilization and perceived quality of the information provided by the BoE?

# Project Narrative

## Other Attachment Form

### Attachment 1:

Title: **CA 2010-15 Attachments Pages: 115** Uploaded File: **G:\Fiscal\PCSGP\2010-15 grant cycle\2010-15 Federal Application development\2010-15 FINAL uploaded documents\2010-15 attachments doc\CA 2010-15 attachments.pdf**

**Memorandum of Understanding**

**Between**

**The California State Board of Education,**

**The California Department of Education,**

**and**

**The \_\_\_\_\_ Charter School**

**2009-10**

Template for

- Statewide Benefit Charter School
- Charter School Approved on Appeal
- Countywide Benefit Charter School

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## Memorandum of Understanding

This Memorandum of Understanding (MOU) is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2009, by and between the California State Board of Education (hereinafter “SBE”), the California Department of Education (hereinafter “CDE”), and \_\_\_\_\_ Charter School (hereinafter “the School”).

Hereinafter, the SBE, the CDE, and the School shall be collectively referred to as “the parties.”

### Purpose of the MOU

The State of California enacted the Charter Schools Act of 1992 (hereinafter “the Act”) authorizing the creation of charter schools with the intent that the schools improve student learning through a variety of means, including increased learning opportunities, innovative teaching methods, expanded choice for parents, and performance-based accountability.

The Act allows the SBE to authorize charter schools under specified circumstances. The SBE has authorized this charter (hereinafter “the charter”) pursuant to the Act, and by doing so, becomes the authorizing agency of the School. The SBE has delegated to the State Superintendent of Public Instruction (SSPI), as director of the CDE, its obligations to oversee the School under the terms of this MOU, the provisions of the School’s charter, and applicable laws and regulations. The SBE reserves the right and authority, under its obligations, to modify any decision made by the SSPI, the CDE, or a designee.

The fundamental interest of the SBE is—on a continuing basis—to be reasonably assured that the School is:

- Implementing the provisions of the Charter as approved.
- Obeying all requirements of federal, state, and local law that apply to the School.
- Being operated prudently in all respects.
- Providing a sound education for all of its students.

The CDE will report periodically to the SBE regarding its delegated oversight of the School.

The SBE recognizes that there are a limited number of matters related to the operation and effective oversight of the School that go beyond the provisions included in the School’s charter. The SBE also acknowledges that the general operation of the charter

is appropriately carried out by the School's governance structure, administrators, faculty, and staff. This MOU is intended to address those matters that have not been covered in the charter and to provide guidance on the oversight policies and procedures of the SBE, as carried out by the CDE or its charter oversight contractor. Further, this MOU is intended to outline the parties' agreements governing their respective fiscal and administrative responsibilities and their legal relationships.

### **Term of the MOU**

This MOU shall commence on the date upon which it is fully executed by all parties and shall cover the term of the charter. This MOU between the CDE and the \_\_\_\_\_ Charter School is inclusive of Appendices A–F. This MOU is subject to termination during the term or during any subsequent renewal as specified by law or as otherwise set forth in this MOU.

Any modification of this MOU must be in writing and executed by duly authorized representatives of the parties.

1. The duly authorized representative of the School is the governing board president or the chief executive officer (CEO)/Director of the School or a designee.
2. The duly authorized representative of the SBE is the Executive Director or a designee.
3. The duly authorized representative of the CDE is the Director of the Charter Schools Division (CSD) or a designee.

For purposes of material amendments to the charter, such amendments may only be made upon the approval of the School's governing board, and will take effect only if approved by the SBE.

This MOU is for the term of the charter. It shall be reviewed at least annually and may be amended or augmented by addendum at any time with mutual agreement. The approved MOU (including any addendums) continues in existence as long as the School is operational, but automatically expires if the School becomes non-operational,. A school typically becomes non-operational due to non-renewal, revocation, or renewal by a school district.

## Term of Charter

The School is a public school that is or shall operate pursuant to a charter. The charter was granted with conditions of opening and operation by the SBE, on \_\_\_\_\_  
\_\_\_\_\_.

The School shall be known as **(description of School and locations)**. The School will serve grades \_\_\_ through \_\_\_ and will have an approximate enrollment of \_\_\_ students in its first year of operation, growing to an approximate enrollment of \_\_\_ students by its fifth year of operation. The School shall be responsible for all the functions of a charter school subject to applicable statutes, the charter, and to the terms and conditions set forth in this MOU. The School will commence operations between July 1 and September 30, subject to conditions specified by the SBE and reflected in this MOU.

The School's charter shall have a five-year term to expire on June 30, 20\_\_\_. The provisions of the charter and the MOU shall be aligned. The SBE reserves the right to approve amendments to the charter and/or revoke the charter as specified in California *Education Code (EC)* Section 47607.

## Section 1: Governance and Organizational Management

The School will be operated as or by a nonprofit public benefit corporation, formed and organized pursuant to the Nonprofit Public Benefit Corporation Law (California *Corporations Code* Section 5110 et seq.). The School is a separate legal entity and neither the SBE nor the CDE is liable for the debts and obligations of the School. The SBE reserves the right to appoint a voting member to the board of directors of the corporation to represent its interests in accordance with *EC* Section 47604. The School will use all revenue received from state and federal sources only for the educational services specified in the charter and this MOU for the students enrolled and attending the School. Other sources of funding must be used in accordance with applicable state and federal statutes, and the terms or conditions, if any, of any grant or donation.

### 1.1 Organization

At all times it is operational, the School will have a phone number and e-mail address posted on the Internet and will immediately update the posting whenever the information changes. The School will provide the CDE with current phone numbers and e-mail addresses for the School's principal contacts. The School will also provide to the CDE, on an annual basis, the following:

- Organization chart displaying the relationship between the governing board and school leadership

- A listing of all the names and, if applicable, the credentials held by employees.

The School will provide the CDE with immediate written notice of any change in the directors, officers, and administrators.

## 1.2 Governing Board Establishment

At all times it is operational, the School will have the following information posted on the Internet and will update the posting as quickly as possible whenever the information changes:

- Articles of Incorporation
- Bylaws approved by the governing board
- Roster and biographies of current governing board members

## 1.3 Governing Board Activities

**Calendar**—The annual calendar of governing board meetings, including a description of how parents and community members will be notified of the meetings, will be posted on the Internet.

**Governing Board Meetings**—The governing board of the School shall conduct public meetings at such intervals as are necessary to ensure that the board is providing sufficient direction to the School through implementation of effective policies and procedures. Governing board meetings will be conducted in keeping with the requirements of the Ralph M. Brown Act (*California Government Code (GC) sections 54950–54962*). Governing board adopted policies, meeting agendas, and minutes will be posted on the Internet.

**Brown Act Training**—The School will provide Brown Act training to its governing board members and administrative staff prior to the execution of any duties. The School will certify to the CDE that Brown Act training has been provided to governing board members and administrative staff.

**Governing Board Policies**—The governing board will adopt policies and procedures to guide the operation of the School, and the School will post the policies and procedures on the Internet, updating the posting as quickly as possible following any change. The policies and procedures will include, but not be limited to, the following:

- **Conflicts of Interest**, including provisions related to nepotism, for itself and the School's employees and contractors, to: (1) ensure that no action taken by an individual or organization covered by the policy results in actual or apparent

conflicts of interest; and (2) verify that all board members and School employees have participated in conflicts of interest training.

- **Campus Supervision**, including, but not limited to, the supervision of students before and after school, and while on campus, student pick-up, as well as a procedure for visitors to enter and leave the campus.
- **Discipline Policies**, including, but not limited to, lists of the offenses for which students may be suspended or expelled, and lists of the offenses for which students must be suspended or expelled. Policies shall include the procedures for suspension or expulsion, and procedures by which parents and students will be informed about reasons for suspension or expulsion, and of their due process rights.
- **Parent/Student Handbook**, including, at a minimum, detailed expectations for student attendance, behavior, and discipline, as well as policies and consequences for bullying and harassment, due process rights related to discipline (including suspension, expulsion, and special education), and a description of both informal and formal complaint procedures that parents may pursue in the event of disagreements. In addition to the Internet posting, the School will provide a hard copy of the parent/student handbook to each family at the beginning of each school year.
- **Health and Safety Plans**, which, at all times the School is operational, will have the following information posted on the Internet and updated as quickly as possible whenever the information changes:
  - A copy of the health, safety, and emergency plan for students and employees.
  - Evidence that staff has been trained in health, safety, and emergency procedures.
  - A calendar of emergency drills for students.

The health and safety plan will address, at a minimum, fire emergencies, earthquakes and other natural disasters, civil disorder, accidents, injuries, intruders on campus, and other threats to the health and safety of students and staff. The School will provide training for staff in responding to emergencies and conduct routine emergency response drills for its staff and students.

**Family Educational Rights and Privacy Act**—Employees of the School have a legitimate educational interest such that they are entitled to access to education records under Title 20, *United States Code* (20 USC) Section 1232(g), the Family Educational Rights and Privacy Act (FERPA), and EC Section 49076(b)(6). The School, its officers,

and employees will comply with FERPA at all times. In addition, it is agreed that the CDE has an educational interest in the educational records of the School such that the CDE will have access to those records. Records will, at a minimum, include emergency contact information, health and immunization data, attendance summaries, and academic performance data from the statewide student assessments required pursuant to *EC* sections 60605 and 60851.

**Notice to Parents/Guardians**—At all times it is operational, the School will have posted on the Internet information concerning the rights of parents and guardians under the federal No Child Left Behind (NCLB) Act and the FERPA, and will update the posting as quickly as possible whenever the information changes. The School will also provide a hard copy of the information to each family at the beginning of each school year.

**Criminal Records Summaries**—All employees of the School, volunteers who are not parents and who will be performing services that are not under the direct supervision of a School employee, and onsite vendors having unsupervised contact with students will submit to background checks and fingerprinting in accordance with *EC* Section 45125.1. The School will post on the Internet a certification that all employees, and volunteers/vendors (as applicable) have clear criminal records summaries prior to their having any unsupervised contact with students. The School will maintain on file and available for inspection during site visits, evidence that the School has performed criminal background checks for all employees and documentation that vendors have conducted required criminal background checks for their employees prior to any unsupervised contact with students.

**Internal Fiscal Controls**—The School will develop and maintain internal fiscal control policies governing all financial activities. Prior to opening (or as policies are revised), a copy of the School's internal control policies and procedures approved by the School's governing board will be submitted to the CDE. Such policies and procedures are subject to review during site visits to verify they are being implemented.

## 1.4 Administration

**Enrollment and Admissions Documentation**—At all times it is operational, the School will have the following information posted on the Internet and will update the posting as quickly as possible whenever the information changes:

- Descriptions of outreach and recruitment activities that have been conducted to reach target population(s).
- Procedures for application, the public random drawing, enrollment, and admissions policies consistent with the charter.

- A copy of any application and enrollment forms and information provided to prospective families.

**Insurance and Risk Management**—No later than July 1, or such earlier time as the School may employ individuals or acquire or lease property or facilities, the School will procure from an insurance carrier licensed to do business in the State of California, and keep in full force during the term of the charter, at least the following insurance coverage:

- **Property Insurance**—For replacement value, if offered by the insurance carrier, including coverage for all assets listed in the School's property inventory and consumables. If full replacement value coverage is not available, the School shall procure property insurance in amounts as close to replacement value as possible.
- **General Liability**—At least \$2,000,000 per occurrence and \$5,000,000 in total general liability insurance, providing coverage for negligence, errors and omissions/educators legal liability, abuse and molestation, and employment practices liability of the School, its governing board, officers, agents, employees, or students. The deductible per occurrence for said insurance shall not exceed \$20,000 for any and all losses resulting from negligence, errors and omissions of the School, its governing board, officers, agents, employees, or students.
- **Workers' Compensation**—In accordance with the provisions of the California *Labor Code*, insurance adequate to protect the School from claims under Workers' Compensation Acts which may arise from its operation, with statutory limits.
- **Automobile Insurance**—to the extent necessary and in amounts appropriate for the type and use of the automobile.

In addition, the School will institute risk management policies and practices to address reasonably foreseeable occurrences and post on the Internet a certification that such policies and practices have been instituted.

The School shall hold harmless, defend, and indemnify the SBE and the CDE, its officers and employees, from every liability, claim, or demand which may be made by reason of: (1) any injury to volunteers; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any act, neglect, default, or omission of the School, its officers, employees, or agents. In cases of such liabilities, claims, or demands, the School at its own expense and risk shall defend all legal proceedings which may be brought against it and/or the SBE or the CDE, its officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of the parties.

The School will provide evidence of insurance coverage to the CDE prior to opening and annually thereafter, and will instruct the insurance carrier(s) to inform the CDE immediately if the coverage becomes inoperative for any reason. The CDE may request to see evidence of insurance coverage during site visits.

**Exclusive Employer**—The School is deemed the exclusive employer of the employees of the School for the purposes of the Educational Employee Relations Act (EERA) under GC Section 3540 et seq. The School will have sole responsibility for employment, management, dismissal, and discipline of its employees.

**Employee Handbook**—At all times it is operational, the School will have (and will update as quickly as possible whenever the information changes) the employee handbook that, at a minimum, includes detailed expectations for employee performance and behavior, due process rights of employees related to disciplinary actions (including termination), compensation and benefit information, and a description of both informal and formal complaint procedures that employees may pursue in the event of disagreements. The School shall provide the CDE with an electronic or hard copy of the handbook.

**Teacher Credentials and Highly Qualified Teacher Requirements**—At all times it is operational, the School will have posted on the Internet a certification that all teachers hold a California Commission on Teacher Credentialing (CTC) certificate, permit, or other document equivalent to that which teachers in other public schools are required to hold, except as otherwise exempted by the Charter Schools Act. The certification will also cover the School's compliance with the federal NCLB highly qualified teacher (HQT) requirements. The School will have documentation on file (for inspection upon request) of its teachers' credentials and evidence that teachers of any NCLB core subject meet the HQT requirements.

**Management Contracts**—Prior to entering into a contract (or as the contract is revised) with an education management organization (EMO), the School will provide the following information:

- A draft of the proposed management contract.
- A recent corporate annual report and audited financial statements for the EMO.
- A description of the EMO's roles and responsibilities for the management of the School and the internal controls that will be put in place to guide the relationship.
- A list of other schools managed by the EMO and the academic and operational results of such management.

- A list of and background on the EMO's leaders and board of directors.
- A letter of assurance from the EMO that it has conflict of interest policies in place and that none of the principals of either the EMO or School have conflicts of interests.

The CDE will review and must approve any school management contracts prior to the School entering into the contract. The SBE reserves the right and authority to modify any approval of such contracts by the CDE.

**Business Services Contracts**—The School must provide the CDE a copy of its agreement, if applicable, with the vendor that will provide business services to the School, including but not limited to, payroll, accounting and budgeting, attendance accounting, fiscal reporting, contracts management, and purchasing, etc. specifying the exact services that will be provided and the cost, the term of the contract, and how the School will monitor the vendor to ensure quality of service.

**Facilities Agreement**—No later than June 1 prior to initial opening, the School will provide a written signed agreement (lease or other similar document) indicating the School's right to use the principal school site and any ancillary facilities identified by the School for at least the first year of the School's operation and evidence that the facility will be adequate for the School's needs. A pre-opening site visit will be conducted prior to opening of the School regardless of whether the School is locating in a facility provided by the district under *EC* Section 47614 (Proposition 39) or in a privately-leased facility (see Section 4.3 and Appendix B for information on the pre-opening visit).

Once open, the School may change facilities only with prior approval of the CDE. Under ordinary circumstances, the School shall provide the CDE not less than 30 days notification of any change in facilities in order for the CDE to conduct a site visit prior to students attending the new facilities. Under extraordinary circumstances, (e.g., a change of facilities necessitated by fire or natural disaster), the CDE may waive the pre-opening site visit.

**Zoning and Occupancy**—At all times it is operational, the School shall meet all applicable health and fire code requirements and zoning laws. The School shall maintain documentation on file of all local approvals including applicable fire marshal clearances, certificates of occupancy, signed building permit inspections, and approved zoning variances. The School cannot exempt itself from applicable/local zoning or building code ordinances.

A CDE site review of the School's facilities will determine that the facilities are clean, safe, American Disabilities Act (ADA) compliant, and have the necessary local approvals to operate. The site visit process (see Section 4.3 of the MOU) and requirements apply to any facility regardless of whether such facilities are district owned

(Proposition 39 facilities), school-owned, or leased by the School from another individual or entity.

**School Accountability Report Card**—On or before February 1 of each year, the School will post its School Accountability Report Card (SARC) for the prior year on the Internet using the template developed by the CDE and available from the CDE SARC Web page at <http://www.cde.ca.gov/ta/ac/sa/>.

## **Section 2: Educational Performance**

### **2.1 Educational Program**

At all times it is operational, the School will have the following information available for review by the CDE:

- Scope and sequence for all subjects to be offered by the School.
- The complete educational program for students to be served in the first year including, but not limited to: (1) a description of the curriculum and identification of the basic instructional materials to be used; (2) plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials; and (3) identification of specific assessments that will be used in addition to the results of the Standardized Testing and Reporting (STAR) Program in evaluation of student progress.
- Annual calendar for the school year that includes the number of instructional days (must provide a minimum of 175 days), annual instructional minutes offered, and the number of professional development days.
- Daily bell schedule for site-based programs.
- For nonclassroom-based programs, if any, sample student contracts, description of frequency of contact with teachers, pupil/teacher ratios, and description of how student work will be evaluated for time value.

### **2.2 Student Achievement Plan**

If the School fails to meet its academic performance index (API) growth targets in a given year, either schoolwide or by numerically significant subgroups, or if the School fails to make adequate yearly progress (AYP), it will be required to prepare and post on the Internet a Student Achievement Plan (Plan) by October 1 of the year following the

year in which the School failed to meet API targets or AYP. The specific requirements of the Plan are included in the Plan Guidelines (Appendix A).

Upon approval by the CDE, the School will implement its Plan that sets forth the School's specific goals, how progress towards and achievement of each goal will be measured, data that will be collected, and proposed expenditures.

The School will not be required to submit a Plan if it has met its API growth targets and AYP, both schoolwide and by significant subgroups each year.

### **2.3 Annual Update**

By the end of September each year, the School will provide an Annual Update to the CDE for the prior year that examines the following:

- STAR results, both in aggregate format and disaggregated by numerically significant subgroups.
- California High School Exit Examination (CAHSEE) results, if applicable, both in aggregate format and disaggregated by numerically significant subgroups.
- Progress made toward meeting API growth targets and AYP.
- Progress made toward each of the educational goals and student outcomes identified in the charter.
- Results of any additional schoolwide internal assessments used by the School.

If the School has previously been required to submit a Plan, it must also address the following elements in the Annual Update:

- Progress made in addressing the goals identified in the Plan.
- Professional development activities undertaken to further progress in achieving goals described in the Plan.
- Progress made on the implementation of changes to curriculum and instructional strategies or the organizational structure identified in the Plan.
- Evidence that the School is systematically examining student data and using it to drive decisions regarding curriculum and instruction.
- Identification of targeted funds to support elements of the Plan.

With the approval of the CDE, the School may substitute its own internal report in lieu of the Annual Update, provided the internal report covers the elements identified above. The Annual Update (in conjunction with the Plan, if applicable) will be used as a central area of focus for site visits.

## **2.4 Special Education**

At all times it is operational, the School will have information posted on the Internet (and will update the posting as quickly as possible whenever the information changes) identifying the special education local plan area (SELPA) in which it is participating or of which it is a member, including any documentation pertaining to that participation or membership, such as an MOU.

## **2.5 Independent Study**

If the School provides instruction through independent study, whether it is the primary mode of instruction or on a short-term basis, it will comply with all requirements of statute applicable to the provision of independent study in charter schools, including *EC, Part 28, Chapter 5, Article 5.5* (commencing with Section 51745), and applicable regulations.

If the School is approved as a site-based school, it must provide a classroom-based instructional program such that at least 80 percent of the instructional time offered by the School is at the school site and the School requires the attendance of all students for at least 80 percent of the minimum instructional time offered. If the School fails to meet the instructional time requirements, it will be required to file a funding determination in accordance with *EC Section 47634.2*.

The school may, on a case-by-case basis, use short-term independent study contracts for students who receive prior approval for absences due to travel or extended illness of three or more consecutive days in duration. Any such independent study will be limited to occasional, incidental instances of extended absences, and must be fully compliant with all independent study statutes and regulations applicable to charter schools.

In order to claim independent study average daily attendance (ADA) on attendance reporting forms, the School must provide prior certification from the School's independent auditor that the School's governing board has adopted policies and master agreements, and that all forms and procedures are in conformance with applicable independent study statutes (*EC Section 51745 et seq.*) and implementing regulations.

## **Section 3: Fiscal Operations**

### 3.1 Funding

The School will be direct-funded in accordance with *EC* Section 47630 et seq. and, if a statewide benefit charter, with *California Code of Regulations*, Title 5 (5 *CCR*) Section 11967.8. The School’s general purpose entitlement will be calculated in accordance with *EC* Section 47633 et seq. The parties recognize the authority of the School to pursue additional sources of funding.

### 3.2 Fiscal Agent

The School is responsible for identifying a county office of education (COE) for purposes of establishing the appropriate funds or accounts in the county treasury for the School. The School will provide the CDE with documentation that it has established such an account with a specific COE.

### 3.3 Student Attendance Accounting and Reporting

No later than July 1, the School (if new) will submit proposed attendance accounting procedures, including software, for approval by the CDE. The School is strongly encouraged to use commercially available attendance accounting software. If the School wishes to create spreadsheets on Excel or other database programs, they must be reviewed and approved by the CDE prior to use by the School. A new school’s start-up enrollment must be consistent with enrollment data described in the charter. The School will submit enrollment and attendance reports as required to receive apportionment of funding according to the following schedule:

Data and Description	Deadline
<b>First 20 Days Attendance (new schools)</b> —This data is used to calculate the second special apportionment for new charter schools, and represents approximately 24 percent of annual funding.	<b>Data must be reported to the CDE no later than 15 days after the first 20 school days have elapsed.</b>
<b>First Principal Apportionment (P-1)</b> —Attendance for all full school months between July 1 and December 31.	<b>January 5</b>
<b>Second Principal Apportionment (P-2)</b> —Attendance for all full school months between July 1 and April 15.	<b>April 21</b>
<b>Annual Apportionment</b> —Attendance for the entire school year.	<b>June 30</b>

**It is critical that the above attendance reporting deadlines are met in an accurate and timely manner. If the School misses a reporting deadline it risks being excluded from that apportionment’s certification and funding period. For**

**example, if P-1 attendance data is not received in time for inclusion in the P-1 certification, the School’s ADA defaults to zero and no funds are paid for the P-1 funding period, February through May.**

In addition to submission of the electronic data files, the School must submit hard copies of all back-up attendance documents, e.g., monthly summary reports that support the reported ADA, weekly attendance sheets signed and dated by teachers, hourly attendance sheets signed and dated by teachers for any supplemental hours claimed, and evidence of contact made with parents when students are absent from school, e.g., parent contact log, absence log, etc.

**If the School wishes to claim ADA for students on short-term independent study, it must submit a letter to the CDE from the School’s independent auditor certifying the School’s policies and procedures are compliant with independent study statute and regulations applicable to charter schools (see Section 2.5). The letter from the auditor certifying compliance must be submitted to the CDE prior to reporting independent study ADA at the apportionment reporting periods.**

CDE staff will review and **certify** the accuracy of attendance data submitted by the School only when all documentation has been submitted and is accurate. **Attendance data submitted without the requisite detail will NOT be processed and may result in a delay of funding to the School.**

### 3.4 Revenue and Expenditure Reporting

The School is required by *EC* Section 47604.33 to submit periodic reports of revenues, expenditures, and reserves. In order to meet statutory timelines for revenue and expenditure reporting, the School must submit reports to the CSD for review according to the following schedule:

<b>Budget or Report</b>	<b>Deadline</b>
Preliminary Budget—The CDE may request a revised budget to address any concerns identified during the review of the preliminary budget.	July 1
Unaudited Actuals Report for the Prior Fiscal Year	September 15
First Interim Report—Expenditures through October 31.	December 15
Second Interim Report—Expenditures though January 31.	March 15

The above reports must be submitted to the CDE accompanied by supplemental information identified in Appendix F, including but not limited to, the following:

- Explanations and budget assumptions for revenues and expenditures.

- Growth in ADA and the impact of the growth on liabilities, facilities, etc.
- An organizational chart identifying all charter school employees and respective salary information for each position.
- A written summary of any significant changes in the budget or interim reports from one reporting period to the next period.
- Statement of cash flow for the current and subsequent fiscal years.
- Profit and loss statement.
- Disclosure of all multi-year fiscal obligations, such as loans, lines of credit, etc., for the next three years.

In addition, consistent with 5 CCR Section 15443, the School is expected to maintain prudent reserves at least equivalent to those required of a school district of similar size:

<b>School ADA</b>	<b>Expected Reserves</b>
0–300	Greater of 5%* or \$50,000
301–1,000	Greater of 4%* or \$50,000
1,001–30,000	3%

\* Percentages are applied to total expenditures, transfers out, and other uses, except as provided for in EC Section 33128.

The CDE may request additional information, as necessary, to evaluate the fiscal condition of the School.

### **3.5 Annual Audit**

By April 1 of each year, in preparation for the annual audit due on December 15, the School must contract with an auditor from the Certified Public Accountants Directory Service (CPADS) provided by the California State Controller’s Office (SCO) (*EC* Section 41020). The list of CPAs currently designated as active by the SCO and who may perform local education audits is available at on the SCO CPADS Web page at <http://www.sco.ca.gov/cpads/main/default.aspx> (Outside Source).

By December 15 of each year, the School will submit an annual independent financial audit to the SCO, the CDE CSD, the CDE Audit Resolution Office, and the COE of the county in which the School is located (*EC* Section 47605[m]). The School will also submit to the CDE any management letters accompanying the annual audit. In order for the School to receive a favorable recommendation for renewal, each annual audit must be free of findings and exceptions, or corrective action plans must have been

implemented in a timely manner, such that there are no findings or deficiencies identified in the following year.

The audit shall be conducted in accordance with the General Accounting Office (GAO) standards for financial and compliance audits and in accordance with the audit guide adopted by the Education Audit Appeals Panel (EAAP). The audit guide is located in the 5 CCR, Division 1.5, Chapter 3, *Standards and Procedures for Audits of California K-12 Local Educational Agencies* or may be accessed on the EAAP Web site at <http://www.eaap.ca.gov> (Outside Source).

### **3.6 Oversight Fees**

The School will be charged an annual oversight fee not to exceed one percent of the general purpose and categorical block grant revenue received by the School in accordance with *EC* Section 47613. The fee is used by the CDE to offset consultant and administrative costs required for comprehensive oversight, which includes but is not limited to the following categories:

- Curriculum and instruction review
- Assessment and accountability review
- School fiscal review
- Site visitations
- Renewal evaluations
- Attendance accounting certification

The oversight fee will be based on the general purpose entitlement and categorical block grant funding provided to the School at the P-1. The School will be invoiced in April of each year based upon P-1 data for 95 percent of the estimated total. The invoice will also include an adjustment for the preceding year based upon final revenue for that year. Invoices are due and payable to CDE within 30 days of receipt.

### **3.7 California State Teachers' Retirement System/California Public Employees' Retirement System**

The School will be responsible for entering into a contract with the California State Teachers' Retirement System (CalSTRS) and/or the California Public Employees' Retirement System (CalPERS) and a COE for reporting purposes. Such arrangements must be made prior to the hiring of any employee whose position is covered by CalSTRS or CalPERS.

## **Section 4: Fulfilling Charter Terms**

#### **4.1 Material Amendments to Charter**

Changes to the charter deemed to be material amendments may not be made without SBE consideration and approval. Amendments to the charter considered to be material changes include, but are not limited to, the following:

- Substantial changes to the educational program (including the addition or deletion of an educational program), mission, or vision.
- Changing to (or adding) a nonclassroom-based program, if originally approved as a classroom-based program.
- Proposed changes in enrollment that differ by more than 25 percent +/- of the enrollment approved by the SBE in the charter, or as approved by the SBE in a subsequently revised charter, or if the change could have a significant impact on the academic or financial sustainability of the school.
- Addition or deletion of grades or grade levels to be served.
- Location of additional sites.
- Admissions preferences.
- Governance structure.

#### **4.2 State Assessments**

The School agrees to comply with and adhere to the state requirements for participation in and administration of all state mandated tests.

#### **4.3 Site Visits**

The CDE will conduct a site visit prior to the opening of a new school and at least one visit during the school year. The site visits will consist of the following:

- **Pre-opening Visit** (see Appendix B)

Prior to the CDE authorizing the School to commence operations, the School must demonstrate that it has completed specified actions and provided required documentation. The documentation required is listed in Appendix C, the Document Review Checklist, under the column "Required Prior to School

Opening.”

On or before August 1 of the year in which the School is first scheduled to begin instruction, or, if the School is scheduled to provide instruction prior to that date, by such date as required by the CDE, the School will have posted on the Internet or provided to the CDE, each item required on the Checklist. Items not completed by August 1 must have an agreed upon alternative date by which the item will be completed.

The CDE will visit the School facility for an inspection and review prior to the time the School is scheduled to open. The pre-opening review will take place no later than 30 days prior to the anticipated school start date. The School may not commence operations without written authorization from the CDE. The pre-opening checklist is included as Appendix B.

- **Periodic Site Visits** (see Appendix D)

The CDE will conduct at least one site visit annually in order to assess the School’s progress in governance and organizational leadership, educational performance, fiscal operations and internal controls, and adherence to the charter. The primary focus of the visits will be on teaching and learning and the Plan (described under Section 2: Educational Performance). Appendix D, the Annual Site Visit Protocol, and Appendix C, the Document Review Checklist, describe the evidence and documentation that will be reviewed and evaluated each year.

The site visit may include, but not be limited to, review of the facility, review of records maintained by the School, interviews with the director of the School, staff, parents, and students, and observation of instruction in the classroom. The evaluations for each year will constitute the primary basis upon which a renewal decision will be made at the end of the term of the charter. Any deficiencies in the evaluations will be reviewed with the school administration.

The CDE reserves the right to make unannounced visits to the School.

#### **4.4 Renewals**

The School may seek renewal of its charter prior to expiration of the term of the charter in accordance with statutory provisions. If the renewal is denied by the school district to which the renewal is submitted, the School may submit the renewal request to the SBE. The School will submit its renewal petition for the next charter term along with a copy of the most recent Annual Update and Plan (if applicable) to the SBE, with a copy to the CDE, no later than December 1 of the year in which the charter School would cease operations without renewal.

The CDE will review the charter petition, academic and financial performance, audit reports, annual visitation reports, and conduct a renewal site visit prior to scheduling the renewal request for consideration by the Advisory Commission on Charter Schools (ACCS) and the SBE. The charter petition must be revised in accordance with current statutes and regulations.

Further information regarding the criteria used for site visit reviews is described under Subsection 4.2 Site Visits.

#### **4.5 Revocations**

The SBE retains the right to revoke the Charter as set forth in *EC* sections 47604.5 or 47607 for specified reasons with written notice that shall specify CDE concerns and issues of non-compliance. The CDE will adhere to the following requirements in *EC* sections 47607(d–e) and any regulations approved by the Office of Administrative Law prior to revocation of the School:

- Notify the School of any violation contained in *EC* Section 47607(c) and provide a reasonable opportunity to remedy the violation (Notice to Cure).
- If the School fails to successfully remedy the violation after being provided a reasonable opportunity to do so, the SBE will provide the School a written notice of intent to revoke the charter and the facts in support of the revocation.
- After providing the notice of intent to revoke the charter, the SBE will hold a public hearing on whether evidence exists to revoke the charter and consider revocation of the charter.
- If the SBE votes to revoke the charter and adopts findings of fact in support of the revocation, it will notify the School of the revocation and will begin invoking closure procedures.

Under circumstances where the CDE determines there is a severe and imminent threat to the health or safety of students, an immediate action may be taken to assure the safety and well being of the students, as deemed appropriate by the CDE, including but not limited to, closure of the school. The SBE will be apprised of the situation immediately before action is taken.

During the period prior to revocation, the School shall have the opportunity to work collaboratively with the CDE or its designee to address the concerns and develop a plan to remediate all areas to the satisfaction of the CDE and the SBE. During this period of time, the School shall attempt to resolve the concerns and complete remediation. This provision may also require a charter amendment to be discussed.

#### **4.6 Closure Procedures**

At all times it is operational, the School will have a description of the procedures to be used in the event the School closes. Procedures must, at a minimum, contain all of the elements contained in 5 CCR Section 11962 (see Appendix E).

If the School is to close permanently for any reason (i.e., voluntary surrender, non-renewal, or revocation), the CDE will serve written notice on the School that the School's closure procedures have been invoked. The School will immediately identify to the CDE the specific individual who is responsible for coordinating the School's close out activities. The CDE will identify a CSD staff person who will work with the School to accomplish all close out activities.

The School expressly acknowledges the right of the CDE, on behalf of the SSPI (pursuant to *EC* Section 47604.3), to take immediate and direct control of all the School's student and business records at any time after the CDE gives written notice that it is invoking the closure procedures.

#### **Section 5: Nondiscrimination**

The parties recognize and agree that the School shall not charge tuition, shall be nonsectarian and shall be open to all students regardless of ethnicity, national origin, gender, or disability, and those provisions of non-discrimination shall apply as well to employment.

#### **Section 6: Severability**

If any provision or any part of this MOU is for any reason held to be invalid and or unenforceable or contrary to public policy, or statute, the remainder of this MOU shall not be affected thereby and shall remain valid and fully enforceable.

#### **Section 7: Non-assignment**

No portion of this MOU or the Charter petition approved by the SBE may be assigned to another entity without the prior written approval of the SBE.

#### **Section 8: Waiver**

A waiver of any provision or term of this MOU must be in writing and signed by both parties. Any such waiver shall not constitute a waiver of any other provision of this MOU. All parties agree that neither party to this MOU waives any of the rights, responsibilities, and privileges established by the Charter Schools Act of 1992.

### **Section 9: Notification**

All notices, requests, and other communications under this MOU shall be in writing and mailed to the proper addresses as follows:

- To the CDE at:

Carol Barkley, Director  
Charter Schools Division  
California Department of Education  
1430 N Street, Suite 5401  
Sacramento, CA 95814-5901

- To the School at:

School Name  
Address  
City, CA Zip Code

This MOU contains the entire MOU of the parties with respect to the matters covered hereby, and supersedes any oral or written understandings or MOUs between the parties with respect to the subject matter of this MOU. No person or party is authorized to make any representations or warranties except as set forth herein, and no MOU, statement, representation, or promise by any party hereto which is not contained herein shall be valid or binding. The undersigned acknowledges that she/he has not relied upon any warranties, representations, statements, or promises by any of the parties herein or any of their agents or consultants except as may be expressly set forth in this MOU. The parties further recognize that this MOU shall only be modified in writing by the mutual agreement of the parties.

\_\_\_\_\_  
[Name], President, Charter School Governing Board

\_\_\_\_\_  
Date

\_\_\_\_\_  
[Name], Principal, Charter School

\_\_\_\_\_  
Date

\_\_\_\_\_  
Carol Barkley, Director, Charter Schools Division

\_\_\_\_\_  
Date

\_\_\_\_\_  
Debora Merle, Executive Director, State Board of Education

\_\_\_\_\_  
Date

## Appendix A: Student Achievement Plan Guidelines

### I. Overview

A Student Achievement Plan (Plan) is required to be submitted to the California Department of Education (CDE) if the School fails to meet academic performance index (API) growth targets and/or adequate yearly progress (AYP) in any year. The Plan requires the School to establish specific goals and actions the School will take to improve student academic achievement in those areas identified through the API and AYP as not meeting performance criteria. The School must also identify how it will evaluate progress toward goals and outcomes, and the data that will be collected to measure progress.

The School will be expected to present an Annual Update to the CDE on the progress made in meeting goals identified in the Plan. Data compiled from the Plan and the Annual Update, plus confirming evidence gathered during periodic site visits will provide the CDE with a clear understanding of whether the School is on track to its charter being renewed.

In addition to API and AYP, the School may incorporate a variety of additional outcome measures to further demonstrate academic achievement and organizational effectiveness. While these various supplemental measures will not carry as much weight as the required measures in making renewal decisions, they may be important in helping the School to: (1) demonstrate its value added; (2) achieve its academic goals and distinctive qualities in the School's mission; and (3) highlight those goals and qualities to its greater school community.

### II. Required Components of the Plan

For each area in which the School did not meet API targets and/or AYP, the School must submit a Plan to the CDE describing **specific** and **concrete** actions the School will take in order to improve student achievement over the course of the current school year. The Plan must address, at a minimum, the following elements:

- Methods or system the School uses to examine student achievement data on a regular basis across grade levels, by subject matter, by significant subgroups, and across the School as a whole.

- Analysis of the Standardized Testing and Reporting (STAR) Program and AYP results that identifies the specific problem in the area(s) not meeting targets and/or criteria.
- Specific and measurable goals the School will achieve during the current school year.
- Specific actions, which follow from the goals and examination of student data, the School will take to improve student achievement in the area(s) identified as needing improvement, including changes to curriculum, instruction, assessment, governance, and organization.
- Professional development plan for teachers and/or other staff that supports the activities the School will implement to improve performance in targeted areas.
- Diagnostic assessments that will be used to enable the school to monitor the effects of proposed changes on student performance, and the specified intervals at which students will be assessed in order to develop at least two to three data points.
- Timelines for each of the specific actions proposed

The School may use any format it wishes for the Plan. The Plan must be submitted to the CDE by October 1 if the School did not meet API targets or AYP in the prior year.

Further information regarding the API can be found on the CDE API Web page at at <http://www.cde.ca.gov/ta/ac/ap/index.asp>. Information on the AYP, including targets and criteria, can be found on the CDE AYP Web page at <http://www.cde.ca.gov/ta/ac/ay/index.asp>.

**Appendix B: Pre-opening Site Inspection Checklist**

General Considerations	Compliant	Comments
Facilities are sufficient to accommodate estimated student enrollment and to carry out the curricular and instruction program envisioned in the charter.		
Site has adequate space for the support services the school intends to provide to its students (i.e. nurse, counselors, tutors, after-school programs, etc.).		
Facilities include cafeteria or other suitable space for students to eat meals.		
Building placement is compatible (i.e. music room is not next to library).		
Facilities are generally conducive to a learning environment.		
Site is away from freeways, railways, flight patterns, excessive noise, obnoxious odors, toxic conditions, electromagnetic fields, earthquake faults, and flood zones.		
Site has good access and dispersal roads.		
Site has separate bus loading, parking areas, and parent drop off areas.		
Facilities operation permits and certificates, including evidence of inspection by a structural engineer, fire marshal and occupancy certificates, zoning variances, building permits, etc. have been secured.		
Facilities are sufficient to accommodate the administrative and business functions, including the storage of student and other records, reports, and documents.		
Facilities meet requirements of the Americans with Disabilities Act, including: (1) accessible routes from outside the school to the entry and from the school entry to all other buildings; and (2) stairs, ramps, toilets, and signage that meet accessibility standards.		

<b>General Considerations</b>	<b>Compliant</b>	<b>Comments</b>
Site and facilities are situated to minimize student contact with adults who do not have appropriate clearances as required by California <i>Education Code</i> Section 44237.		
Relocatable facilities are single story and meet local seismic safety requirements.		
Site has appropriate security (i.e. fencing, adequate lighting, alarms, etc.).		
Facilities are clean, sanitary, and free from conditions that would create a fire or other hazard.		
Indoor and/or outdoor physical education facilities are sufficient to accommodate the program envisioned in the charter.		
Library or other space dedicated to research and study is suitable for the educational program being provided.		

<b>Building Exterior</b>	<b>Compliant</b>	<b>Comments</b>
Facilities are generally free of chipped paint, cracked floors, uneven surfaces, mold, and evidence of leaks.		
Sidewalks, driveways, and outdoor play areas are relatively free of cracks and uneven surfaces, and are in good repair.		
Perimeter fences are installed as necessary and are in good repair.		
Graffiti or other signs of vandalism to the building are absent.		
School exterior needs minimal cosmetic repairs, painting, or additional lighting.		
Windows and doors are intact and in good repair.		
Exterior stairs or handrails are in good repair.		
Exits of buildings are free of obstructions.		
Signage is adequate for traffic flow and for directions to school offices.		

<b>Building Exterior</b>	<b>Compliant</b>	<b>Comments</b>
Trees and vegetation provide a clear view of the school; places to hide or to gain authorized access to the building are minimized.		
School site is substantially free of litter and clutter.		

<b>Interior Entrances, Corridors, and Stairs</b>	<b>Compliant</b>	<b>Comments</b>
Heating and ventilation systems are adequate for the size of the building and numbers of students.		
Electrical system has no major code violations.		
Fire alarm system meets applicable local fire safety codes; appropriate fire extinguishers exist in the building(s) and inspections are up to date.		
Restrooms are conveniently located and accessible to students; toilets are clean and operable.		
Bracing of overhead light fixtures, heating and air conditioning vents, etc. comply with local ordinances.		
Lighting, including nighttime lighting, is sufficient for the educational activities being conducted at the site.		
Floors, walls, and ceilings are clean; ceiling tiles are all intact.		
Halls and stairs are adequately lit.		
Exit doors, including emergency exits, are free of clutter and readily accessible; doors are secure to prevent intruders into the building.		
Interior is free of other hazards that could endanger student safety.		

Classrooms	Compliant	Comments
Classroom size and layout are related to functions that will be performed in them (i.e. science and computer laboratories, special education, locker rooms, gyms, etc.).		
Desks, tables, and chairs are in good repair.		
Space is provided to secure computers and other expensive electronic devices.		
Bookcases, racks, fixtures, etc. are adequately anchored to adjacent structures.		
Gas, electrical, and water outlets and appliances are in good repair.		
Classrooms have adequate lighting.		
Classrooms are visible to teachers at all times; classroom layout is conducive to quick evacuation.		
Kindergarten classrooms have toilet facilities, or dedicated facilities are located within close proximity to classrooms, and are of appropriate height		

Additional Comments

CSD Reviewer:

SFPD Reviewer:

**Appendix C: Documentation Review Checklist**

<b>Category</b>	<b>Prior to Opening</b>	<b>Site Visit</b>	<b>Other Date</b>
<b>1. Governance and Organizational Management</b>			
<b>1.1 Organization</b>			
• School contact information	✓		
• Organizational chart	✓		
<b>1.2 Governing Board Establishment</b>			
• Articles of Incorporation	✓		
• Bylaws approved by governing board	✓		
• Roster/biographies of current board members	✓		
<b>1.3 Governing Board Activities</b>			
• Calendar of governing board meetings	✓		
• Agendas, verification of public posting		✓	
• Meeting minutes		✓	
• Brown Act training verification	✓		
• Governing board policies in following areas:			
○ Conflicts of Interest	✓		
○ Parent/student handbook	✓		
○ Internal fiscal controls	✓		
○ Health and safety plan	✓		
○ Notification to parents/guardians	✓		
○ Family Educational Rights and Privacy Act (FERPA) notices	✓		
○ Criminal records summaries	✓		
<b>1.4 Administration</b>			
• Descriptions of enrollment and outreach	✓		
• Enrollment forms	✓		
• Targeted recruitment of students	✓		
• Enrollment preferences, if any	✓		
• Insurance coverage	✓		

Category	Prior to Opening	Site Visit	Other Date
• Employee handbook	✓		
• Employee contracts	✓		
• Education Management Organization (EMO) contracts	✓		
• Facilities use agreement(s)			Jun. 1
• Certificate of Occupancy, building permits, evidence of appropriate zoning	✓		
• School Accountability Report Card (SARC)			Feb. 1

Category	Prior to Opening	Site Visit	Other Date
<b>2. Educational Performance</b>			
<b>2.1 Education program</b>			
• Scope and sequence for all grades	✓		
• Complete educational program, including curriculum, instructional materials, professional development plans, and identification of assessments.	✓		
• Annual school calendar	✓		
• Daily bell schedule	✓		
• Faculty and staff credentials (as applicable)	✓		
<b>2.2 Student Achievement Plan</b>			
Student Achievement Plan		✓	Oct.1 (if applicable)
<b>2.3 Annual Update</b>			
Progress report on student achievement		✓	Sep. 30
<b>2.4 Special Education</b>			
Special Education Local Plan Area (SELPA) participation documentation	✓		
<b>2.5 Independent Study</b>			

Category	Prior to Opening	Site Visit	Other Date
<ul style="list-style-type: none"> <li>• Verification of requirements of law, including:               <ul style="list-style-type: none"> <li>○ Frequency of contact</li> <li>○ Student/teacher ratios</li> <li>○ Contracts</li> <li>○ Evaluation of student work for time value</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>	

Category	Prior to Opening	Site Visit	Other Date
<b>3. Fiscal Operations</b>			
<b>3.1 Funding</b>			
<ul style="list-style-type: none"> <li>• Verification of funding</li> </ul>			
<b>3.2 Fiscal Agent</b>			
Verification of county office of education for fiscal agent	✓		
<b>3.3 Student Attendance Accounting/Reporting</b>			
<ul style="list-style-type: none"> <li>• Attendance Accounting Procedures</li> <li>• First 20 days attendance/supporting documents</li> <li>• First Principal Apportionment (P-1) attendance/supporting documentation</li> <li>• Second Principal Apportionment (P-2) attendance/supporting documentation</li> <li>• Annual attendance/supporting documentation</li> </ul>			15 days after first 20 days  Jan. 5  Apr. 21  Jun. 30
<b>3.4 Revenue and Expenditure Reporting</b>			
Annual budget			Jul. 1
First interim report			Dec.15
Second interim report			Mar. 15
Unaudited actuals report			Sep.15
<b>3.5 Annual Audit</b>			
<ul style="list-style-type: none"> <li>• Annual independent financial audit</li> </ul>			Dec.15

Category	Prior to Opening	Site Visit	Other Date
<b>3.6 Oversight Fees</b>			
• Payment of invoice for oversight fee			May
<b>3.7 State Teachers' Retirement System (STRS)/Public Employees' Retirement System (PERS) Reporting</b>			
Contract with county office for STRS/PERS reporting	✓		

Category	Prior to Opening	Site Visit	Other Date
<b>4. Fulfilling Charter Terms</b>			
<b>4.1 Material amendments</b>			
Material amendments if applicable, approved by the governing board and the State Board of Education (SBE)			As needed
<b>4.2 Standardized Testing and Reporting (STAR) Testing</b>			
Verify participation in STAR testing			As needed
<b>4.3 Site Visits</b>			
Pre-opening documentation of conditions met	✓		
Periodic site visit verification of adherence to charter through interviews with staff, students, parents, and community		✓	
<b>4.4 Renewal</b>			
Revised charter petition reflecting most recent statutory changes			Dec.1 of 4 <sup>th</sup> year
Student Achievement Plan for next five-year term			Dec.1 of 4 <sup>th</sup> year
<b>4.5 Revocation</b>			

Category	Prior to Opening	Site Visit	Other Date
Documentation of corrective actions taken, if applicable		✓	As needed
		✓	
<b>4.6 Closure Procedures</b>			
Procedures to be used in event of school closure	✓		
Identification of point of contact for closure activities	✓		

## **Appendix D: Annual Site Visit Protocol**

### **Overview**

The California Department of Education (CDE) Charter Schools Division (CSD), on behalf of the State Board of Education (SBE), conducts an annual visit to each charter school it oversees. The purpose of the visit is to assess the performance of the school, progress toward its goals, and potential for renewal. The school is assessed in the following areas:

1. Governance and organizational leadership
2. Educational performance
3. Fiscal operations and internal controls
4. Adherence to the charter

### **Criteria for Assessment**

#### **Criterion 1: Governance and Organizational Leadership**

The charter school and the governing board are duly constituted in accord with the School's charter and applicable state and federal statutes, and are organized to support the School's mission and vision and the achievement of high standards by all students.

- 1.1 The governing board has a clear mission and vision for the school, consistent with the charter, and adopts policies and procedures that support high student achievement.
- 1.2 The governing board has established procedures to hold regular meetings that are conducted openly, to ensure that decisions are made without perceived or actual conflicts of interest, and has clearly delineated board roles and responsibilities.
- 1.3 The governing board provides direction to the school leadership through the adoption of policies and procedures that support and promote high academic standards in a safe and healthy school environment.
- 1.4 The governing board employs, and holds accountable, school leadership, and authorizes school leadership to operate the School in accordance with the charter,

applicable laws, and the School's mission and vision to improve student performance.

- 1.5 The School has processes in place that ensure stakeholder input regarding the School's effectiveness in such areas as student discipline, parent (guardian) involvement, community engagement, and motivation of students toward high academic achievement and good citizenship. The governing board communicates regularly with all stakeholders regarding student achievement and progress toward meeting the School's goals.
- 1.6 The governing board routinely reviews academic and other school data, and uses it to provide direction and allocation of resources for continuous improvement of student achievement, fiscal viability and compliance, and for ensuring schoolwide excellence.
- 1.7 Both the governing board and the school's leadership are experienced in managing organizations and have skills necessary to promote a sustainable high quality charter school. The governing board and School leadership are knowledgeable of, and understand, charter school statutes and regulations.
- 1.8 The governing board is appropriately trained in charter operations and applicable laws, including the Brown Act. New board members are given a formal orientation to the purpose and background of the School, and their roles and responsibilities, including the fiscal requirements of operating a nonprofit organization.

## **Criterion 2: Educational Performance**

The charter school provides a rigorous educational program for all students that is based on state content standards, and delivered in a supportive and positive learning environment. The school meets Academic Performance Index (API) and Annual Yearly Progress (AYP) annual growth targets and its own established outcomes.

- 2.1 The School meets state assessment targets, including targets for all significant subgroups, and performs at least as well as other comparable schools in the district. The School can demonstrate, where applicable, that it is closing the achievement gap between subgroups.

- 2.2 The School has strong, measurable student outcomes, including outcomes for both state assessments and the School's unique goals, and uses data to support how well students are doing in meeting outcomes.
- 2.3 The School's leadership effectively promotes the School's mission and vision, maintains a focus on high academic achievement, fosters a culture of respect, professionalism, and shared decision-making, and has a system in place to coach and evaluate faculty and staff to improve student learning.
- 2.4 The School has a curricular plan that guides the work of faculty and staff, and allocates sufficient resources to implement the plan. The curriculum is rigorous, relevant, and appropriate to the needs of all students. Benchmark assessments are used throughout the year to determine student progress in learning the curriculum.
- 2.5 Instructional practices are varied and appropriate to individual student's learning styles. Teachers demonstrate knowledge and expertise in the subjects they teach. Teachers maintain high expectations for students, and promote high levels of engagement and use of critical thinking skills through a variety of motivational strategies. Students are assessed frequently and data is used to modify and strengthen instructional practices.
- 2.6 All students have equitable opportunities to learn. The School has support systems and strategies in place to assist academically underperforming students, including students with special needs, and English Learners, and provides opportunities in class and outside the regular school day for students to master the curriculum.
- 2.7 The School has a schoolwide professional development plan that supports the curriculum plan and is consistent with the evaluation system. Faculty engages in ongoing professional development to improve instructional practices. Opportunities for teachers to collaborate regularly for the purpose of improving curriculum and instruction are built into the school day, and used to regularly gauge the effectiveness of instruction as it impacts student achievement.
- 2.8 The School promotes a supportive, respectful, and nondiscriminatory learning environment in which students can attain high levels of achievement. Adults at the School know all students, and based on that knowledge, provide support and resources to meet the social and emotional needs of students. School rules and consequences are clearly understood by parents and students, and they are consistently applied to ensure a safe and healthy school environment.

- 2.9 The School facilities are clean, safe, and inviting to students and the community. Students and staff exhibit pride in the School. Exemplary student work is posted throughout the school, in addition to other items, such as school mission and vision, school motto, and guiding principles that send a consistent message that the School has a strong academic focus and high standards for students.
- 2.10 The School uses data regularly to make continuous improvements to curriculum and instruction that support high student achievement. Teachers regularly collect data in the classroom to determine the degree to which students are mastering content standards and modify instructional practice accordingly. School leadership uses data to determine progress in meeting schoolwide goals and outcomes and to modify strategies for whole-school improvement.
- 2.11 The School fosters ongoing two-way communication between parents and the School regarding individual student achievement and schoolwide progress in meeting goals and outcomes. Parents are welcomed and are provided opportunities to participate in the educational program. The School provides training opportunities for parents and community members to enable them to understand the curriculum, instruction, and assessment plan of the School.

### **Criterion 3: Fiscal Operations and Internal Controls**

The school is a financially viable organization that is operated in compliance with all applicable state and federal requirements, state reporting requirements, and sound fiscal practices for the purpose of supporting high student achievement.

- 3.1 The governing board has oversight and responsibility for approving annual and amended budgets to ensure that resource allocation is sufficient to support the School's mission and vision, and to improve student achievement. Operations of the School are primarily funded through state and federal funds without reliance on fundraising, donations and grants for support of ongoing operations. The School maintains a prudent reserve.
- 3.2 The governing board regularly reviews and monitors the School's revenues, expenditures and cash flow, and adopts modifications to the operating budget to ensure the financial stability of the School in order to sustain a high quality charter school
- 3.3 The School submits required financial reports, including the budget and interim reports, the unaudited actual report, and the annual independent audit, that meet

required timelines, are accurate, and are formally approved by the governing board.

- 3.4 The School has in place and implements effective systems and practices to manage revenues and expenditures, accounting, payroll, and equipment inventories. The governing board has adopted policies and procedures to ensure implementation of sound fiscal systems that allow the School to make informed fiscal decisions.
- 3.5 The School implements governing board-adopted internal controls as recommended under general audit standards that ensure the integrity of all fiscal systems, and which ensure that neither governing board members nor school staff take actions that result in the appearance or actual conflicts of interest or nepotism.
- 3.6 The School has annual audits that are free of significant audit findings/exceptions. If audit findings have occurred, the School has promptly addressed the findings and taken appropriate action to resolve the exceptions, and informed its authorizer of the actions taken.
- 3.7 The governing board and school leadership have an understanding of state and federal statutes that guide charter schools, and ensure the expenditure of funds occurs in a manner that is compliant with applicable federal and state laws governing the use of those funds.

#### **Criterion 4: Adherence to Charter**

The school implements all of its operations in accord with its approved charter, adheres to requirements for prior approval of material changes to the charter, and communicates as necessary with its authorizer regarding proposed departures from the charter.

- 4.1 The School adheres to its charter as approved by the State Board of Education (SBE). The School implements the educational and other programs described in the charter, and meets API and AYP growth targets.
- 4.2 The School understands it must submit **material** amendments to the charter for approval by the SBE **prior** to making any material changes, including material changes to programs, enrollment, admissions preferences, governance structure, and/or the addition of new facilities.

- 4.3 The School adheres to assurances that it will not charge tuition, will be nonsectarian, and will be open to all students regardless of ethnicity, national origin, gender, or disability, and that those provisions of non-discrimination shall apply to employment also.
- 4.4 The School complies with all state and federal laws and regulations applicable to charter schools, and keeps informed of new developments and changes to existing laws/regulations.
- 4.5 The School is open to any resident of the state, including students with special needs and English learners. If applications exceed spaces available, the School conducts a random admissions process (lottery) that complies with state and federal procedures and preferences.

### Quality Indicators for Assessment of Four Criteria

A four-point scale will be used to rate each category:

- 4—Well-developed
- 3—Proficient
- 2—Under-developed
- 1—Inadequate

It is important to bear in mind that **assessing levels will always be more of a professional judgment than a technical process**; however the following general guidelines should be consistently applied.

- An evaluation of **well-developed** applies to schools characterized, overall, by strengths. There are very few weaknesses and any that do exist do not diminish the students' experience. An evaluation of well-developed—although a high standard—is achievable in all schools. However, the school would always be expected to continue to take advantage of opportunities to improve.
- An evaluation of **proficient** applies to schools characterized by a number of strengths. There are weaknesses but, singly or collectively, these do not have a significant adverse impact on the student experience. An evaluation of proficient may be arrived where the school may present productive student experiences but it may not apply consistently for some students. Typically the

school's academic program will be characterized by strengths, but one or more weaknesses reduce the overall quality of the student experience.

- An evaluation of **under-developed** applies to schools characterized by some strengths but where critical weaknesses have an impact on the quality of the students' experiences, which require remedial action by the school. There may be some strengths, but these are overshadowed by the impact of the weaknesses adversely impacting student experiences.
- An evaluation of **inadequate** applies when there are major weaknesses in the school, requiring immediate remedial action with specific deadlines. The student experience is at risk in significant respects. In almost all cases, staff responsible for schools evaluated inadequate will require significant support from administration in planning and carrying out the necessary actions to effect improvement. There is no evidence that the school has the capacity to sustain or implement improvements required to positively impact student experiences without assistance from external experts.

## Site Visit

The site visit is comprehensive, with a focus on teaching and learning practices as they relate to the use of data and assessment to drive instruction, fiscal controls, and leadership. Much of the review in these areas is completed through classroom visits, review of documentation, and interviews with School leaders and staff. These important aspects of the School provide further evidence of progress toward the goals that were set out in the charter.

The visit is conducted by one to four CSD representatives and consists of classroom observations and interviews with School leadership, staff, and stakeholders. The morning of the visit, the team will meet with the School leader to review the visit schedule and the School's documentation. This serves as a brief orientation for the team and the School.

This annual review is an opportunity for the CSD to observe the School's daily practices, routines, and the implementation of the educational program and operational policies. While documentation should be available on site, the School should not collect documents for review in a location outside of where they are usually organized. Although the visit team reviews various documents, the School should not prepare any additional binders or folders of information for the visit team. The team will review

documents where they are typically located as they are normally arranged, stored, or organized.

### **Pre-visit Documentation**

Prior to the visit, please send electronic copies of the following to **(name and email address)** at least 1 week before the visit:

- The school schedule of classes and breaks
- Map of the school with classrooms identified
- All individual teacher schedules with classes, preparation periods, common planning time, etc.
- An estimated time for CSD staff to meet with teachers, students, board members and parent meetings

Once the CSD has reviewed this information, they will prepare and forward a proposed schedule for the day. This schedule may be adjusted during the visit based on evidence gathered that day, and any unexpected scheduling issues at the School.

### **Documentation**

The following documents should be available **for inspection and/or collection at the visit**. Although the team reviews various documents, the School should not prepare any additional binders or folders of information for the visit team. The team will review curricular and other documents where they are typically located, as they are normally arranged, stored, or organized. It is important to note that the visiting team may not review all documentation, and that the level of review will depend on how long the school has been in existence, issues that surface at the school, and concerns identified before or during a site visit.

- Board meeting minutes for the current and prior two years
- Board meeting calendar for the current year
- Updated board roster with affiliation (including contact information and business address)

- Organizational chart indicating clear reporting relationships.
- List of **all** (full-time and part-time) staff, indicating which staff have been fingerprinted and have been cleared for employment at the school.
- List of teachers, including Commission on Teacher Credentialing certification and NCLB Highly Qualified status
- Equipment Inventory tracking sheet
- Cash flow analysis reflecting upcoming 12 months
- Approved budget vs. year-to-date expenses
- Balance sheet and statement of activity
- Bank reconciliation (last 2 months)
- Chart of accounts (first year schools only)
- Partnership/Institutional agreements (management, back-office, curriculum and training agreements, and any other, as may be appropriate)
- Explanation of internal student assessment program and any relevant samples
- Professional development plans for the current year and verification of completed activities
- Student disciplinary policy
- Student performance data
- Admissions application
- Curricular maps/pacing guides—explanation of academic program
- Lesson plans
- Parent handbooks

- Evidence of parent satisfaction
- Current building safety documents: occupancy permit, fire inspection, safety inspection
- Staff evaluation tools and documents
- Any other relevant documentation, as requested

### **Meeting Room**

The School should provide a private meeting room for the visiting team to work and to discuss observations.

### **Observations**

Teachers and assistants should be informed that their classrooms may be visited. The CSD will spend a significant amount of time visiting classrooms to observe the teaching and learning process, and review student work, lesson plans, rubrics, and other documentation present in the classroom. Teachers do not need to be available to speak with the visit team during classroom observations. Visiting team members may speak with students while they are observing a lesson, if appropriate, but will not interrupt the lesson for any reason. Reviewers may ask students about what work they are completing during a group activity, about a recently completed work, or other questions relevant to the review.

School leaders should also make teachers aware that the visit is focused on whole school improvement, and is a review of the **school** progress, not of individuals, nor of individual teacher practices. Reviewers will not provide feedback to teachers directly, but may comment to School leaders about practices in particular classrooms, during the exit interview

### **Interviews**

During the course of the visit, the visit team will interview various stakeholders, including:

- School leaders (i.e. Principal, Executive Director, School Leader, Director)
- Board member(s) (must be less than a quorum)
- Parents
- Students
- Teachers
- Community partners, if used

### Visit Exit Interview

At the end of the visit, the visiting team will meet with the School leadership team. Any findings that are discussed are preliminary at the time of the exit interview, and are subject to change upon document review and more extensive examination of evidence collected. The School is encouraged to arrange for board members to be a part of the exit interview.

### Visit Schedule

The visitation schedule is dependent on individual School schedules, the availability of school staff to speak with visit team members, and other School specific variables. The following schedule is meant to be a sample only, subject to adjustment based on School variables.

#### Sample Schedule\*

Time	Activity
8:00–8:15 a.m.	Principal/Leadership Team Welcome and Introductions
8:15–8:30 a.m.	Logistics Meeting with School Leadership (includes planning and confirming visit schedule and activities)
8:30–9:30 a.m.	Meeting with School Leadership
9:30–10:00 a.m.	Meeting with Parents
10:00–11:30 a.m.	Classroom Visits
11:30 a.m.–12:00 noon	Visit Team Check-in
12:00 noon–12:30 p.m.	Meeting with Students
12:30–1:00 p.m.	Meeting with Teachers
1:00–3:00 p.m.	Additional data gathering, summary writing, and classroom observations
3:00–3:45 p.m.	Visit Team Debrief
3:45–4:15 p.m.	Exit Interview with School Leadership

- \* This schedule is subject to change and is meant to provide an outline of the activities to be conducted. The details of the visit at any particular School will be determined in collaboration with the Principal/School Leader on the morning of the visit. Additionally, some larger schools may require a different configuration of the site visit.

**Appendix E: School Closure Procedures Checklist**

**Invoking Closure Procedures**

Item	Description	Lead Contact	Due Date	Verified
1	<p>In the case of revocation or non-renewal, the California Department of Education (CDE) shall notify the charter school in writing that the closure procedures have been invoked.</p> <p>In the case of voluntary surrender, the charter school shall notify the CDE in writing that the closure procedures have been invoked.</p>			

**Immediate Actions**

Item	Description	Lead Contact	Due Date	Verified
2	<p>The charter school shall immediately notify the CDE of the location of all student and business records. Following that notification, no student or business records shall be disposed of, moved, or duplicated without the express written consent of the CDE, except that student records may be copied for students' families or transferred to other schools, provided a notation is kept of the records copied or transferred.</p>			

Item	Description	Lead Contact	Due Date	Verified
3	The charter school and the CDE shall each immediately identify an individual who will serve as the single point of contact for the entity regarding the school's close out activities.			
4	The CDE shall immediately notify the charter school in writing whether, on behalf of the State Superintendent of Public Instruction, it is taking over immediate and direct control of all the school's student and business records.			

### Students and Families

Item	Description	Lead Contact	Due Date	Verified
5	The charter school shall notify the family of each student enrolled of the school's closure. Unless the CDE otherwise directs, the notification shall be immediate in the case of a revocation (that takes immediate effect) or shall occur within ten days of the invocation of the closure procedures in the case of closure at the end of current academic year.			
6	The charter school shall continue instruction until the end of the current academic year (unless a revocation takes immediate effect). The charter school shall publicly announce cancellation of all future classes.			
7	If the charter school continues instruction to the end of the current academic year, report cards shall be issued within seven days of the end of classes.			

Item	Description	Lead Contact	Due Date	Verified
8	The charter school shall notify surrounding school districts and the county office of education within fourteen days of the school's forthcoming closure (or immediate closure if a revocation takes immediate effect).			
9	The charter school shall provide information to students and families regarding alternative public school placements within 30 days of the announcement of the school's forthcoming closure, or immediately in the case of a revocation that takes immediate effect.			
10	The charter school shall offer to provide a copy of each student's cumulative file upon request of the student's family. The school shall provide the copy within seven days of a request being received, ensuring that the documents are given to the family member identified as having legal custody or guardianship of the student.			
11	The charter school shall comply within seven days to requests for the transfer of students' cumulative files to other public or private schools in which the students enroll.			
12	The charter school shall respond within seven days to inquiries from students and their families and from the media regarding the school's closure, the disposition of student and business records, and the alternative placement available to the students.			
13	The charter school shall provide the CDE within fourteen days with a list of students (names, addresses and phone numbers) in each grade level and the classes they have completed. Identify each student's district of residence, and a notation of where the student's records have been transferred.			

Item	Description	Lead Contact	Due Date	Verified
14	The charter school, if a local educational agency (LEA) in a special education local planning area (SELPA), shall notify the SELPA within fourteen days of the closure, complete all documentation necessary for special education students and transfer copies of the student's records to the SELPA.			
15	The CDE shall respond promptly to inquiries from students and their families and from the media as necessary.			

**Student and Business Records**

Item	Description	Lead Contact	Due Date	Verified
16	Once the closure procedures have been invoked, no student or business records shall be disposed of, moved, or duplicated without the express written consent of the CDE, except for the duplication or transfer of student cumulative files as noted.			
17	At the point the charter school is dissolved, the student and business records shall come under the exclusive control of the CDE which shall distribute, maintain, or dispose of the records as it determines appropriate.			
18	The charter school shall terminate all present leases, service agreements and other contracts not necessary for the close out of the school. Leases, service agreements, and contracts should be terminated in a cost effective manner in order to minimize expenses.			

Item	Description	Lead Contact	Due Date	Verified
19	The charter school shall return grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law as appropriate. A final expenditure report for all grants will be submitted within fourteen days. Federal grants must be closed out, including the filing of the required Final Expenditure Reports and Final Performance Reports. Federal Forms 269 and 269a may apply if the school was receiving funds directly from the U.S. Department of Education.			
20	Close all financial records of the school as of revocation or closure date.			

**Faculty and Staff**

Item	Description	Lead Contact	Due Date	Verified
21	The charter school shall immediately notify its faculty and staff of the school's closure, providing each with necessary information related to compensation and retirement, including, but not limited to, any optional benefits that they may continue after the school closes.			
22	The charter school shall provide the CDE within fourteen days with a description of current and projected payroll and payroll benefits commitments through closure, including a list of each employee, and their job duties, and a projection of the funds necessary to: (1) transition the students and records; (2) complete all administrative closure related tasks; and (3) complete contracts and grants.			

Item	Description	Lead Contact	Due Date	Verified
23	The charter school shall provide CDE within fourteen days with notice of any outstanding payments to staff and the method by which the school will make the payments.			
24	The charter school will within fourteen days contact the California State Teachers' Retirement System (CalSTRS), California Public Employees' Retirement System (CalPERS), and the county office of education and follow their procedures for dissolving contracts and reporting, copying the CDE on all correspondence.			
25	<p>Prior to final closeout, the charter school shall do all of the following on behalf of the school's employees:</p> <ul style="list-style-type: none"> <li>• File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.</li> <li>• File the Federal Notice of Discontinuance with the Department of Treasury (Treasury Form 63).</li> <li>• Make final federal tax payments (employee taxes, etc.)</li> <li>• File the final withholding tax return (Treasury Form 165).</li> <li>• File the final return with the IRS (Form 990 and Schedule).</li> </ul>			

**Assets and Liabilities**

Item	Description	Lead Contact	Due Date	Verified
26	The charter school shall notify all funding sources (including charitable partners) of the school's closure within fourteen days.			
27	The charter school shall immediately notify all contractors (such as a charter management organization, education management organization, food service provider, instructional service provider, or transportation service provider) of the school's closure.			
28	If the charter school has any agreements with organizations representing employees, the charter school shall notify the organizations of the school's closure as may be specified in the agreements.			
29	The charter school shall notify the CDE within fourteen days of all pending litigation to which the school is a party. The charter school shall immediately notify the CDE if litigation is filed thereafter up to the point that the school is formally dissolved.			
30	The charter school, within 30 days, shall prepare and deliver to the CDE a comprehensive list of creditors and debtors.			
31	The charter school, within 30 days, shall prepare and deliver to the CDE a comprehensive inventory of all assets.			

Item	Description	Lead Contact	Due Date	Verified
32	The charter school, within 30 days, shall prepare and deliver to the CDE a plan for the proposed disposal of all property owned by the school (and acquired with public funds) in order to maximize revenue in accordance with law, payment of any and all liabilities and the disbursement of any remaining assets of the school, liquidation of assets to pay off any and all outstanding liabilities, bearing in mind that assets paid for by state funds may be transferred in accordance with the nonprofit corporation's bylaws to another public agency such as another charter school. Assets donated to the school may be returned to donors or disposed of in accordance with donor's wishes. Net assets, (after the payment of outstanding liabilities), if any, may be transferred to another public agency such as another charter school.			
33	The charter school shall arrange for preliminary (if necessary) and final closure audits to be paid for from the special reserve or bond revenue. The auditor engaged to perform the audit(s) shall be from the list of approved school auditors maintained by the California State Controller's Office and shall be approved by the CDE. The audit(s) at a minimum shall determine the disposition of all assets and liabilities of the charter school and shall verify the school's comprehensive list of creditors and debtors, and the amounts owed or owing, as well as verify the school's comprehensive list of all assets by source, noting any restrictions on each asset's use.			
34	Based on the audit findings, and with the approval of the CDE, the charter school shall expend any identified assets to liquidate any identified liabilities.			

**Dissolution of the School (Corporate) Entity**

Item	Description	Lead Contact	Due Date	Verified
35	Following the resolution of all outstanding assets and liabilities, the charter school shall be dissolved. If established as a nonprofit public benefit corporation pursuant to California <i>Education Code</i> Section 47604, the corporation shall be dissolved.			

**Appendix F: Supplemental Financial Information  
State Board of Education Authorized Charter School  
Fiscal Year 2009-10**

**Reporting Period**

Preliminary Budget—Due July 1  
 First Interim Report Reflecting Changes Through October 31—Due December 15  
 Second Interim Report Reflecting Changes Through January 31—Due March 15

**Budget Assumptions**

<b>Fiscal Year 2009-10</b>	<b>Grades K–3</b>	<b>Grades 4–6</b>	<b>Grades 7–8</b>	<b>Grades 9–12</b>
<b>General Purpose Entitlement per Average Daily Attendance (ADA)</b>				
<b>Categorical Block Grant Entitlement per ADA</b>				
<b>ADA</b>				

	<b>Unaudited Actuals 2008-09</b>	<b>Adopted Budget 2009-10</b>	<b>First Interim 2009-10</b>	<b>Second Interim 2009-10</b>	<b>Budget Projection 2010-11</b>	<b>Budget Projection 2011-12</b>

	<b>Unaudited Actuals 2008-09</b>	<b>Adopted Budget 2009-10</b>	<b>First Interim 2009-10</b>	<b>Second Interim 2009-10</b>	<b>Budget Projection 2010-11</b>	<b>Budget Projection 2011-12</b>
<b>ADA (use prior year Second Principal Apportionment [P-2])</b>						
<b>Certificated Salary Cost of Living Adjustment (COLA)—% and Total (if % varies, include total \$ only)</b>						
<b>Are Salary and Benefit Negotiations Finalized? Yes or No</b>						
<b>Classified Salary COLA— % and Total \$ (if % Varies, Include Total \$ Only)</b>						

	<b>Unaudited Actuals 2008-09</b>	<b>Adopted Budget 2009-10</b>	<b>First Interim 2009-10</b>	<b>Second Interim 2009-10</b>	<b>Budget Projection 2010-11</b>	<b>Budget Projection 2011-12</b>
<b>Other Certificated Salary Adjustments— Total \$ (Provide Explanation)</b>						
<b>Other Classified Salary Adjustments— Total \$ (Provide Explanation)</b>						
<b>Health and Welfare Benefits Increase—% and Total \$</b>						

**Additional Supplemental Information**

- Include a narrative discussion of assumptions used in the current and two subsequent fiscal years, including:
  1. Source of Data. (Example: School Services of California dartboard)
  2. Change and cause. (Example: health benefit costs increased from and estimated 15% at budget adoption to 18% at first interim based on actual renewal rates from ABC group.

3. Effect. (Example: resulting in a health benefit cost increase of \$3,000.)

- Provide projected growth in ADA, include details regarding the impact to cash flow, facilities, assets/liabilities, etc.
- Identify current staffing levels/positions and provide projected growth for two subsequent fiscal years. Include justification for significant increases in staff and/or salaries that are not aligned with an increase in ADA.
- Provide cash flow statements for the current and two subsequent fiscal years.
- Provide detail of state, federal, and local revenues by source for current and two subsequent fiscal years.
- Provide a profit and loss statement.
- Include a narrative discussion and reason for significant changes between the current reporting period and the prior reporting period in ADA, state, local, and federal revenues, expenditure categories, other financing sources and uses of funds, and components of ending fund balance. For example, compare adopted budget to prior year unaudited actual revenues and expenditures, first interim report to adopted budget, second interim report to first interim report; etc.
- Compare the change in fund balance for the budget and two prior years. Provide an explanation if the fund balance has declined for the last two fiscal years.
- Identify all multiyear fiscal obligations, excluding salaries and benefits, for the next three years and identify the resources used to service those commitments.
- Identify any potential or contingent liabilities that may affect the budget.
- If a significant percentage of ongoing expenditures are funded with one-time resources, explain how the one-time resources will be replaced to continue funding the ongoing expenditures in the following years.

<p style="text-align: center;"><b>SBE Charter School Site Visit RECORD BOOK</b></p>

<b>School Name</b>	
<b>Dates of Review</b>	
<b>Reviewer(s)</b>	

- A Record Book must be completed for each school.
- The reviewer uses it to record his/her findings, as well as sources of evidence.
- The scoring rubric for all categories and the sub criteria in each are:
 

<b>4</b>	<b><i>Well-developed</i></b>	<b>major strengths</b>
<b>3</b>	<b><i>Proficient</i></b>	<b>strengths outweigh weaknesses</b>
<b>2</b>	<b><i>Under-developed</i></b>	<b>some important weaknesses</b>
<b>1</b>	<b><i>Inadequate</i></b>	<b>major weaknesses/no evidence</b>
- The questions and observations during all activities should be geared toward gathering evidence to support the assessment of each category and sub-criteria.
- For classroom observations, bear in mind any particular emphasis outlined by the principal as well as:
  - Components of the lesson - group work, project based, individualized, etc
  - Student engagement activity - What are the students doing during the lesson?
  - Teacher role/strategies- what is the teacher doing during the lesson?
  - On-going assessment - how does the teacher know if the students learned what was covered in class?
  - Are students aware of the lesson objectives?
  - Has progress been made in student learning? Are the students' attainment levels appropriate?
- Information contained in the Record Books is used to write the final school review report. All documentation and evidence should be maintained with a copy of the review.

**Please record:**

- sources of evidence to support conclusion, including pre-assessment commentary and hypotheses;
- a summary of evidence to be included in the report;
- an overall conclusion, commendations, and recommendations, both short and medium to long term should be based on a minimum of three sources (e.g. interviews, observations, documentation, etc.).

## MEETING WITH PRINCIPAL AND SETTING THE SCHEDULE

Reviews are comprised of activities selected from the following meetings, observations and other activities, chosen according to the most appropriate for each school. In the preparation stage, through phone and email correspondence and during the initial meeting, the principal and the reviewer will agree on the exact details of the assessment visit. The reviewer will then complete the schedule below:

<u>Meetings</u>	<u>Observations</u>	<u>Other</u>
<ul style="list-style-type: none"> <li>✓ Meet with principal</li> <li>✓ Meet with administration</li> <li>✓ Meet with staff</li> <li>✓ Meet with students</li> <li>✓ Meet with parents</li> <li>✓ Meet with the school's board members</li> </ul>	<ul style="list-style-type: none"> <li>✓ Class visits</li> <li>✓ Data review</li> <li>✓ Observe end of school</li> <li>✓ Site tour</li> <li>✓ Review curriculum plans</li> <li>✓ Observe a collaborative activity</li> <li>✓ Observe any after school activities</li> </ul>	<ul style="list-style-type: none"> <li>✓ Verbal and written feedback to principal and key staff</li> <li>✓ Report writing</li> <li>✓ Additional evidence, including student work samples</li> </ul>

### NOTES:

### COMMENTS ON ISSUES IDENTIFIED DURING PREPARATION FOR VISIT

Time	DAY ONE	DAY TWO	DAY THREE (if necessary)
8.00 - 8.30			
8.30 - 9.00			
9.00 - 9.30			
9.30 - 10.00			
10.00 - 10.30			
10.30 - 11.00			
11.00 - 11.30			
11.30 - 12.00			
12.00 - 12.30			
12.30 - 1.00			
1.00 - 1.30			
1.30 - 2.00			
2.00 - 2.30			
2.30 - 3.00			
3.00 - 3.30			
3.30 - 4.00			
4.00			

**NOTES:****MEETING WITH THE PRINCIPAL – GOVERNANCE AND ORGANIZATIONAL LEADERSHIP**

<b>Criterion 1: Governance and Organizational Leadership</b>	
1.1	The governing board has a clear mission and vision for the School, consistent with the charter, and adopts policies and procedures that support high student achievement.
1.2	The governing board has established procedures to hold regular meetings that are conducted openly, to ensure that decisions are made without perceived or actual conflicts of interest, and has clearly delineated board roles and responsibilities.
1.3	The governing board provides direction to the School leadership through the adoption of policies and procedures that support and promote high academic standards in a safe and healthy School environment.
1.4	The governing board employs, and holds accountable, School leadership, and authorizes School leadership to operate the School in accordance with the charter, applicable laws, and the School's mission and vision to improve student performance.
1.5	The School has processes in place that ensure stakeholder input regarding the School's effectiveness in such areas as student discipline, parent (guardian) involvement, community engagement, and motivation of students toward high academic achievement and good citizenship. The governing board communicates regularly with all stakeholders regarding student achievement and progress toward meeting the School's goals.
1.6	The governing board routinely reviews academic and other School data, and uses it to provide direction and allocation of resources for continuous improvement of student achievement, fiscal viability and compliance, and for ensuring School-wide excellence.
1.7	Both the governing board and the School's leadership are experienced in managing organizations and have skills necessary to promote a sustainable high quality charter school. The governing board and School leadership are knowledgeable of, and understand, charter school statutes and regulations.
1.8	The governing board is appropriately trained in charter operations and applicable laws, including the Brown Act. New board members are given a formal orientation to the purpose and background of the School, and their roles and responsibilities, including the fiscal requirements of operating a non-profit organization.

**Sample Questions:**

1. Briefly describe the mission and vision of your School.
2. What are your goals – immediate, short-term and long-term?
3. How do you develop plans to achieve those goals?
4. What kinds of data are you most interested in?
5. How do you monitor and evaluate staff performance?
6. How do you use the School's available resources to support educational priorities?
7. What policies has the board adopted to support the mission and vision, and high student achievement that will result in a sustainable, high quality charter school?
8. What training do governing board members receive regarding their responsibilities?
9. How does the board set priorities for the expenditure of funds for the School?
10. What processes do you have in place to involve stakeholders in the School?
11. How do you ensure clear, two-way communication between the governing board and the stakeholders?

***The questions and observations during this meeting should be geared toward gathering evidence that supports the quality statements and sub-criteria, such as those listed above. This evidence, in addition to evidence gathered throughout the Quality Review, will then help formulate a Quality Score for each quality statement and sub-criteria.***

**NOTES:**

**MEETING WITH THE PRINCIPAL – GOVERNANCE AND ORGANIZATION LEADERSHIP CONT.**

**NOTES**

**EVIDENCE**

<b>Criterion 2: Educational Performance</b>	
2.1	The School meets state assessment targets, including targets for all significant subgroups, and performs at least as well as other comparable schools in the district. The School can demonstrate, where applicable, that it is closing the achievement gap between subgroups.
2.2	The School has strong, measurable student outcomes, including outcomes for both state assessments and the School's unique goals, and uses data to support how well students are doing in meeting outcomes.
2.3	The School's leadership effectively promotes the School's mission and vision, maintains a focus on high academic achievement, fosters a culture of respect, professionalism, and shared decision-making, and has a system in place to coach and evaluate faculty and staff to improve student learning.
2.4	The School has a curricular plan that guides the work of faculty and staff, and allocates sufficient resources to implement the plan. The curriculum is rigorous, relevant, and appropriate to the needs of all students. Benchmark assessments are used throughout the year to determine student progress in learning the curriculum.
2.5	Instructional practices are varied and appropriate to individual student's learning styles. Teachers demonstrate knowledge and expertise in the subjects they teach. Teachers maintain high expectations for students, and promote high levels of engagement and use of critical thinking skills through a variety of motivational strategies. Students are assessed frequently and data is used to modify and strengthen instructional practices.
2.6	All students have equitable opportunities to learn. The School has support systems and strategies in place to assist academically underperforming students, including students with special needs, and English Learners, and provides opportunities in class and outside the regular school day for students to master the curriculum.
2.7	The School has a School-wide professional development plan that supports the curriculum plan and is consistent with the evaluation system. Faculty engages in ongoing professional development to improve instructional practices. Opportunities for teachers to collaborate regularly for the purpose of improving curriculum and instruction are built into the school day, and used to regularly gauge the effectiveness of instruction as it impacts student achievement.
2.8	The School promotes a supportive, respectful, and non-discriminatory learning environment in which students can attain high levels of achievement. Adults at the School know all students, and based on that knowledge, provide support and resources to meet the social and emotional needs of students. School rules and consequences are clearly understood by parents and students, and they are consistently applied to ensure a safe and healthy School environment.
2.9	The School facilities are clean, safe, and inviting to students and the community. Students and staff exhibit pride in the School. Exemplary student work is posted throughout the School, in addition to other items, such as School mission and vision, School motto, and guiding principles that send a consistent message that the School has a strong academic focus and high standards for students.
2.10	The School uses data regularly to make continuous improvements to curriculum and instruction that support high student achievement. Teachers regularly collect data in the classroom to determine the degree to which students are mastering content standards and modify instructional practice accordingly. School leadership uses data to determine progress in meeting School-wide goals and outcomes and to modify strategies for whole-School improvement.
2.11	The School fosters ongoing two-way communication between parents and the School regarding individual student achievement and School-wide progress in meeting goals and outcomes. Parents are welcomed and are provided opportunities to participate in the educational program. The School provides training opportunities for parents and community members to enable them to understand the curriculum, instruction, and assessment plan of the School.

**Sample Questions:**

1. How are parents and community members involved in School processes? How do you communicate your School goals to them?
2. How do you use data to drive instruction?
  - a. Describe a recent conversation you have had with staff around data.
  - b. How comfortable are your teachers using data?
  - c. What training or support do your teachers receive in the use of data?
  - d. What forms of data do your teachers use to guide their lesson planning?
  - e. How do you ensure buy-in and effective use of data in prioritizing goals and making important decisions about your program?

3. Tell us how your curriculum is laid out and what objectives and benchmarks are established?
4. How do you determine what instructional strategies will be used to meet the needs of all students?
5. How is learning assessed at the classroom level? School-wide?
6. What steps do you take to encourage students to ask for assistance and staff to be available to provide it?
7. What interventions are used for students who aren't mastering the curriculum? How are these monitored, both School-wide and at the classroom level? How are parents involved?
8. What subgroups do you monitor for performance/progress?
9. How do you determine staff development needs? What evidence do you have of the effectiveness of the professional development that you use?
10. Do teachers have regular collaborative planning time? How often? How is it structured and assessed?
11. Do teachers have opportunities to observe each others' classroom instruction and share student work?
12. How do you evaluate the School program?
  - a. Examples – portfolios, qualitative assessments to monitor student progress?
  - b. How do you assure rigor, consistency and alignment with state standards?
  - c. How do you assure consistency and rigor across grade levels?

***The questions and observations during this meeting should be geared toward gathering evidence that supports the quality statements and sub-criteria, such as those listed above. This evidence, in addition to evidence gathered throughout the Quality Review, will then help formulate a Quality Score for each quality statement and sub-criteria.***

**NOTES:**

**MEETING WITH THE PRINCIPAL – EDUCATIONAL  
PERFORMANCE CONT.**

**NOTES**

**EVIDENCE**

## NOTES: MEETING WITH THE PRINCIPAL – FISCAL OPERATIONS & INTERNAL CONTROLS

Criterion 3: Fiscal Operations and Internal Controls	
3.1	The governing board has oversight and responsibility for approving annual and amended budgets to ensure that resource allocation is sufficient to support the School's mission and vision, and to improve student achievement. Operations of the School are primarily funded through state and federal funds without reliance on fund raising, donations and grants for support of ongoing operations. The School maintains a prudent reserve.
3.2	The governing board regularly reviews and monitors the School's revenues, expenditures and cash flow, and adopts modifications to the operating budget to ensure the financial stability of the School in order to sustain a high quality charter school
3.3	The School submits required financial reports, including the budget and interim reports, the unaudited actual report, and the annual independent audit, that meet required time lines and are accurate, and are formally approved by the governing board.
3.4	The School has in place and implements effective systems and practices to manage revenues and expenditures, accounting, payroll, and equipment inventories. The governing board has adopted policies and procedures to ensure implementation of sound fiscal systems that allow the School to make informed fiscal decisions.
3.5	The School implements governing board-adopted internal controls as recommended under general audit standards that ensure the integrity of all fiscal systems, and which ensure that neither governing board members nor School staff take actions that result in the appearance or actual conflicts of interest or nepotism.
3.6	The School has annual audits that are free of significant audit findings/exceptions. If audit findings have occurred, the School has promptly addressed the findings and taken appropriate action to resolve the exceptions, and informed its authorizer of the actions taken.
3.7	The governing board and School leadership have an understanding of state and federal statutes that guide charter schools, and ensure the expenditure of funds occurs in a manner that is compliant with applicable federal and state laws governing the use of those funds.

### Sample Questions:

1. How often does the governing board meet to discuss fiscal issues, amend budgets, review cash flow, or make resource allocations to support the mission and vision of the School? Examples?
2. Describe policies and/or procedures adopted by the board to strengthen fiscal practices.
3. How are internal controls implemented at the School? Examples?
4. Does the School have a conflict of interest policy? How is it communicated to board members and staff?
5. What is the process for resolving audit exceptions?
6. What is the process you use for working with the board to establish budgetary priorities?
7. If the School contracts with an external vendor for services (such as back office services), what are the procedures for communicating information (compliance deadlines, new procedures, etc.) between both parties? How is the quality of the service assessed? How often?
8. How do you monitor the degree to which internal controls and conflict of interest policies are being implemented?

***The questions and observations during this meeting should be geared toward gathering evidence that supports the quality statements and sub-criteria, such as those listed above. This evidence, in addition to evidence gathered throughout the Quality Review, will then help formulate a Quality Score for each quality statement and sub-criteria.***

**NOTES:**

**MEETING WITH THE PRINCIPAL – FISCAL OPERATIONS  
AND INTERNAL CONTROLS CONT.**

**NOTES**

**EVIDENCE**

Criterion 4: Adhering to the Charter	
4.1	The School adheres to its charter as approved by the State Board of Education. The School implements the educational and other programs described in the charter. The School is meeting API and AYP growth targets.
4.2	The School understands it must submit <i>material</i> amendments to the charter for approval by the State Board of Education <b>prior</b> to making any material changes, including material changes to programs, enrollment, admissions preferences, governance structure, and/or the addition of new facilities.
4.3	The School adheres to assurances that it will not charge tuition, will be non-sectarian, and will be open to all students regardless of ethnicity, national origin, gender, or disability, and that those provisions of non-discrimination shall apply to employment also.
4.4	The School complies with all state and federal laws and regulations applicable to charter schools, and keeps informed of new developments and changes to existing laws/regulations.
4.5	The School is open to any resident of the state, including students with special needs and English Learners. If applications exceed spaces available, the School conducts a random admissions process (lottery) that complies with state and federal procedures and preferences.

**Sample Questions:**

1. What are the central features of the School's charter?
2. Are there any provisions of the charter you are unable to implement?
3. How do you monitor the degree to which the School is meeting its stated learning goals and objectives?
4. Describe the lottery process.
5. How do you keep informed about changes to statutes and regulations that affect the School and charter schools generally?

***The questions and observations during this meeting should be geared toward gathering evidence that supports the quality statements and sub-criteria, such as those listed above. This evidence, in addition to evidence gathered throughout the school review, will then help formulate an overall score for each category and sub-criteria.***

**NOTES:**

**MEETING WITH THE PRINCIPAL – ADHERING TO THE CHARTER CONT.**

**NOTES**

**EVIDENCE**

## NOTES: MEETING WITH TEACHERS

<b>Criterion 1: Governance and Organizational Leadership</b>	
1.1	The governing board has a clear mission and vision for the School, consistent with the charter, and adopts policies and procedures that support high student achievement.
1.2	The governing board has established procedures to hold regular meetings that are conducted openly, to ensure that decisions are made without perceived or actual conflicts of interest, and has clearly delineated board roles and responsibilities.
1.3	The governing board provides direction to the School leadership through the adoption of policies and procedures that support and promote high academic standards in a safe and healthy School environment.
1.4	The governing board employs, and holds accountable, School leadership, and authorizes School leadership to operate the School in accordance with the charter, applicable laws, and the School's mission and vision to improve student performance.
1.5	The School has processes in place that ensure stakeholder input regarding the School's effectiveness in such areas as student discipline, parent (guardian) involvement, community engagement, and motivation of students toward high academic achievement and good citizenship. The governing board communicates regularly with all stakeholders regarding student achievement and progress toward meeting the School's goals.
1.6	The governing board routinely reviews academic and other School data, and uses it to provide direction and allocation of resources for continuous improvement of student achievement, fiscal viability and compliance, and for ensuring School-wide excellence.
1.7	Both the governing board and the School's leadership are experienced in managing organizations and have skills necessary to promote a sustainable high quality charter school. The governing board and School leadership are knowledgeable of, and understand, charter school statutes and regulations.
1.8	The governing board is appropriately trained in charter operations and applicable laws, including the Brown Act. New board members are given a formal orientation to the purpose and background of the School, and their roles and responsibilities, including the fiscal requirements of operating a non-profit organization.
<b>Criterion 2: Educational Performance</b>	
2.1	The School meets state assessment targets, including targets for all significant subgroups, and performs at least as well as other comparable schools in the district. The School can demonstrate, where applicable, that it is closing the achievement gap between subgroups.
2.2	The School has strong, measurable student outcomes, including outcomes for both state assessments and the School's unique goals, and uses data to support how well students are doing in meeting outcomes.
2.3	The School's leadership effectively promotes the School's mission and vision, maintains a focus on high academic achievement, fosters a culture of respect, professionalism, and shared decision-making, and has a system in place to coach and evaluate faculty and staff to improve student learning.
2.4	The School has a curricular plan that guides the work of faculty and staff, and allocates sufficient resources to implement the plan. The curriculum is rigorous, relevant, and appropriate to the needs of all students. Benchmark assessments are used throughout the year to determine student progress in learning the curriculum.
2.5	Instructional practices are varied and appropriate to individual student's learning styles. Teachers demonstrate knowledge and expertise in the subjects they teach. Teachers maintain high expectations for students, and promote high levels of engagement and use of critical thinking skills through a variety of motivational strategies. Students are assessed frequently and data is used to modify and strengthen instructional practices.
2.6	All students have equitable opportunities to learn. The School has support systems and strategies in place to assist academically underperforming students, including students with special needs, and English Learners, and provides opportunities in class and outside the regular school day for students to master the curriculum.
2.7	The School has a School-wide professional development plan that supports the curriculum plan and is consistent with the evaluation system. Faculty engages in ongoing professional development to improve instructional practices. Opportunities for teachers to collaborate regularly for the purpose of improving curriculum and instruction are built into the school day, and used to regularly gauge the effectiveness of instruction as it impacts student achievement,
2.8	The School promotes a supportive, respectful, and non-discriminatory learning environment in which students can attain high levels of achievement. Adults at the School know all students, and based on that knowledge, provide support and resources to meet the social and emotional needs of students. School rules and consequences are clearly understood by parents and students, and they are consistently applied to ensure a safe and healthy school environment.

2.9	The School facilities are clean, safe, and inviting to students and the community. Students and staff exhibit pride in the School. Exemplary student work is posted throughout the School, in addition to other items, such as School mission and vision, School motto, and guiding principles that send a consistent message that the School has a strong academic focus and high standards for students.
2.10	The School uses data regularly to make continuous improvements to curriculum and instruction that support high student achievement. Teachers regularly collect data in the classroom to determine the degree to which students are mastering content standards and modify instructional practice accordingly. School leadership uses data to determine progress in meeting School-wide goals and outcomes and to modify strategies for whole-School improvement.
2.11	The School fosters ongoing two-way communication between parents and the School regarding individual student achievement and School-wide progress in meeting goals and outcomes. Parents are welcomed and are provided opportunities to participate in the educational program. The School provides training opportunities for parents and community members to enable them to understand the curriculum, instruction, and assessment plan of the School.

### Sample Questions:

1. What are some of the things that you like the most about the School?
2. What role do teachers have in the selection of the curriculum?
3. How involved are you in the decision-making of the School?
4. How do you use data to differentiate the instruction for your students?
5. Tell us how you monitor student performance/progress for individual students and groups of students. How often is this done?
6. When and how often does the School monitor its progress overall, to ensure that the goals for each student are met?
7. What policies do you have in place for students that are frequently absent? Who initiates the intervention?
8. How comfortable are you with using student data?
9. How often do you meet as a staff to discuss the results of student achievement data?
10. What professional development opportunities are currently available to you?
11. How often does the principal visit and observe classrooms? Do you get constructive feedback?
12. How often do you visit your colleagues' classrooms, or share practice in other ways?
13. Do you have common planning time with your colleagues? When and by what grouping?
14. Is there a policy in place for sharing each others practices?
15. How do you think the School functions on a day-to-day basis?
16. If needed, how are decisions about changing the instructional plan made?
17. What kinds of support services does the School leadership provide to you as a teacher?
18. If you had a chance to make improvements in the School, what improvements would you recommend?

***The questions and observations during this meeting should be geared toward gathering evidence that supports the quality statements and sub-criteria, such as those listed above. This evidence, in addition to evidence gathered throughout the school review, will then help formulate an overall score for each category and sub-criteria.***

**MEETING WITH TEACHERS – CONT.**

**NOTES**

**EVIDENCE**

## NOTES: MEETING WITH STUDENTS

<b>Criterion 1: Governance and Organizational Leadership</b>	
1.3	The governing board provides direction to the School leadership through the adoption of policies and procedures that support and promote high academic standards in a safe and healthy School environment.
1.5	The School has processes in place that ensure stakeholder input regarding the School's effectiveness in such areas as student discipline, parent (guardian) involvement, community engagement, and motivation of students toward high academic achievement and good citizenship. The governing board communicates regularly with all stakeholders regarding student achievement and progress toward meeting the School's goals.
<b>Criterion 2: Educational Performance</b>	
2.2	The School has strong, measurable student outcomes, including outcomes for both state assessments and the School's unique goals, and uses data to support how well students are doing in meeting outcomes.
2.3	The School's leadership effectively promotes the School's mission and vision, maintains a focus on high academic achievement, fosters a culture of respect, professionalism, and shared decision-making, and has a system in place to coach and evaluate faculty and staff to improve student learning.
2.4	The School has a curricular plan that guides the work of faculty and staff, and allocates sufficient resources to implement the plan. The curriculum is rigorous, relevant, and appropriate to the needs of all students. Benchmark assessments are used throughout the year to determine student progress in learning the curriculum.
2.5	Instructional practices are varied and appropriate to individual student's learning styles. Teachers demonstrate knowledge and expertise in the subjects they teach. Teachers maintain high expectations for students, and promote high levels of engagement and use of critical thinking skills through a variety of motivational strategies. Students are assessed frequently and data is used to modify and strengthen instructional practices.
2.6	All students have equitable opportunities to learn. The School has support systems and strategies in place to assist academically underperforming students, including students with special needs, and English Learners, and provides opportunities in class and outside the regular school day for students to master the curriculum.
2.8	The School promotes a supportive, respectful, and non-discriminatory learning environment in which students can attain high levels of achievement. Adults at the School know all students, and based on that knowledge, provide support and resources to meet the social and emotional needs of students. School rules and consequences are clearly understood by parents and students, and they are consistently applied to ensure a safe and healthy School environment.
2.9	The School facilities are clean, safe, and inviting to students and the community. Students and staff exhibit pride in the School. Exemplary student work is posted throughout the School, in addition to other items, such as School mission and vision, School motto, and guiding principles that send a consistent message that the School has a strong academic focus and high standards for students.
2.11	The School fosters ongoing two-way communication between parents and the School regarding individual student achievement and School-wide progress in meeting goals and outcomes. Parents are welcomed and are provided opportunities to participate in the educational program. The School provides training opportunities for parents and community members to enable them to understand the curriculum, instruction, and assessment plan of the School.

### Sample Questions:

1. What do you think about your School? How satisfied are you with your School?
2. What does the name "(Insert brand of CMO)" Schools mean to you?
3. Do you find the instruction engaging? Give examples.
4. Do you feel that the staff respect and listen to the students?
5. Is there someone on the staff you feel comfortable with to confide issues and/or concerns you may have? Who?
6. If you are absent from School does anything happen? If so, what?
7. Do you think staff has high expectations for the students? How do you know?
8. Are School goals and plans shared with students? How?
9. What do you think of the principal?
10. How do you think the School functions on a day-to-day basis?
11. What types of activities does the School provide to help you academically?
12. What types of activities does the School provide to support you socially or personally?
13. What are some of the things that you like the most about the School?

14. If you had a chance to make improvements in the School, what improvements would you recommend?

***The questions and observations during this meeting should be geared toward gathering evidence that supports the quality statements and sub-criteria, such as those listed above. This evidence, in addition to evidence gathered throughout the Quality Review, will then help formulate a Quality Score for each quality statement and sub-criteria.***

**NOTES**

**EVIDENCE**

# NOTES: MEETING WITH PARENTS

<b>Criterion 1: Governance and Organizational Leadership</b>	
1.1	The governing board has a clear mission and vision for the School, consistent with the charter, and adopts policies and procedures that support high student achievement.
1.2	The governing board has established procedures to hold regular meetings that are conducted openly, to ensure that decisions are made without perceived or actual conflicts of interest, and has clearly delineated board roles and responsibilities.
1.3	The governing board provides direction to the School leadership through the adoption of policies and procedures that support and promote high academic standards in a safe and healthy School environment.
1.4	The governing board employs, and holds accountable, School leadership, and authorizes School leadership to operate the School in accordance with the charter, applicable laws, and the School's mission and vision to improve student performance.
1.5	The School has processes in place that ensure stakeholder input regarding the School's effectiveness in such areas as student discipline, parent (guardian) involvement, community engagement, and motivation of students toward high academic achievement and good citizenship. The governing board communicates regularly with all stakeholders regarding student achievement and progress toward meeting the School's goals.
1.6	The governing board routinely reviews academic and other School data, and uses it to provide direction and allocation of resources for continuous improvement of student achievement, fiscal viability and compliance, and for ensuring School-wide excellence.
1.7	Both the governing board and the School's leadership are experienced in managing organizations and have skills necessary to promote a sustainable high quality charter school. The governing board and School leadership are knowledgeable of, and understand, charter school statutes and regulations.
1.8	The governing board is appropriately trained in charter operations and applicable laws, including the Brown Act. New board members are given a formal orientation to the purpose and background of the School, and their roles and responsibilities, including the fiscal requirements of operating a non-profit organization.
<b>Criterion 2: Educational Performance</b>	
2.1	The School meets state assessment targets, including targets for all significant subgroups, and performs at least as well as other comparable schools in the district. The School can demonstrate, where applicable, that it is closing the achievement gap between subgroups.
2.2	The School has strong, measurable student outcomes, including outcomes for both state assessments and the School's unique goals, and uses data to support how well students are doing in meeting outcomes.
2.3	The School's leadership effectively promotes the School's mission and vision, maintains a focus on high academic achievement, fosters a culture of respect, professionalism, and shared decision-making, and has a system in place to coach and evaluate faculty and staff to improve student learning.
2.4	The School has a curricular plan that guides the work of faculty and staff, and allocates sufficient resources to implement the plan. The curriculum is rigorous, relevant, and appropriate to the needs of all students. Benchmark assessments are used throughout the year to determine student progress in learning the curriculum.
2.5	Instructional practices are varied and appropriate to individual student's learning styles. Teachers demonstrate knowledge and expertise in the subjects they teach. Teachers maintain high expectations for students, and promote high levels of engagement and use of critical thinking skills through a variety of motivational strategies. Students are assessed frequently and data is used to modify and strengthen instructional practices.
2.6	All students have equitable opportunities to learn. The School has support systems and strategies in place to assist academically underperforming students, including students with special needs, and English Learners, and provides opportunities in class and outside the regular school day for students to master the curriculum.
2.7	The School has a School-wide professional development plan that supports the curriculum plan and is consistent with the evaluation system. Faculty engages in ongoing professional development to improve instructional practices. Opportunities for teachers to collaborate regularly for the purpose of improving curriculum and instruction are built into the school day, and used to regularly gauge the effectiveness of instruction as it impacts student achievement.
2.8	The School promotes a supportive, respectful, and non-discriminatory learning environment in which students can attain high levels of achievement. Adults at the School know all students, and based on that knowledge, provide support and resources to meet the social and emotional needs of students. School rules and consequences are clearly understood by parents and students, and they are consistently applied to ensure a safe and healthy school environment.

2.9	The School facilities are clean, safe, and inviting to students and the community. Students and staff exhibit pride in the School. Exemplary student work is posted throughout the School, in addition to other items, such as School mission and vision, School motto, and guiding principles that send a consistent message that the School has a strong academic focus and high standards for students.
2.10	The School uses data regularly to make continuous improvements to curriculum and instruction that support high student achievement. Teachers regularly collect data in the classroom to determine the degree to which students are mastering content standards and modify instructional practice accordingly. School leadership uses data to determine progress in meeting School-wide goals and outcomes and to modify strategies for whole-School improvement.
2.11	The School fosters ongoing two-way communication between parents and the School regarding individual student achievement and school wide progress in meeting goals and outcomes. Parents are welcomed and are provided opportunities to participate in the educational program. The School provides training opportunities for parents and community members to enable them to understand the curriculum, instruction, and assessment plan of the School.
<b>Criterion 3: Fiscal Operations and Internal Controls</b>	
3.1	The governing board has oversight and responsibility for approving annual and amended budgets to ensure that resource allocation is sufficient to support the School's mission and vision, and to improve student achievement. Operations of the School are primarily funded through state and federal funds without reliance on fund raising, donations and grants for support of ongoing operations. The School maintains a prudent reserve.
3.2	The governing board regularly reviews and monitors the School's revenues, expenditures and cash flow, and adopts modifications to the operating budget to ensure the financial stability of the School in order to sustain a high quality charter school
3.3	The School submits required financial reports, including the budget and interim reports, the unaudited actual report, and the annual independent audit, that meet required time lines and are accurate, and are formally approved by the governing board.
3.4	The School has in place and implements effective systems and practices to manage revenues and expenditures, accounting, payroll, and equipment inventories. The governing board has adopted policies and procedures to ensure implementation of sound fiscal systems that allow the School to make informed fiscal decisions.
3.5	The School implements governing board-adopted internal controls as recommended under general audit standards that ensure the integrity of all fiscal systems, and which ensure that neither governing board members nor School staff take actions that result in the appearance or actual conflicts of interest or nepotism.
3.6	The School has annual audits that are free of significant audit findings/exceptions. If audit findings have occurred, the School has promptly addressed the findings and taken appropriate action to resolve the exceptions, and informed its authorizer of the actions taken.
3.7	The governing board and School leadership have an understanding of state and federal statutes that guide charter schools, and ensure the expenditure of funds occurs in a manner that is compliant with applicable federal and state laws governing the use of those funds.
<b>Criterion 4: Adherence to the Charter</b>	
4.1	The School adheres to its charter as approved by the State Board of Education. The School implements the educational and other programs described in the charter. The School is meeting API and AYP growth targets.
4.2	The School understands it must submit <i>material</i> amendments to the charter for approval by the State Board of Education <b>prior</b> to making any material changes, including material changes to programs, enrollment, admissions preferences, governance structure, and/or the addition of new facilities.
4.3	The School adheres to assurances that it will not charge tuition, will be non-sectarian, and will be open to all students regardless of ethnicity, national origin, gender, or disability, and that those provisions of non-discrimination shall apply to employment also.
4.4	The School complies with all state and federal laws and regulations applicable to charter schools, and keeps informed of new developments and changes to existing laws/regulations.
4.5	The School is open to any resident of the state, including students with special needs and English Learners. If applications exceed spaces available, the School conducts a random admissions process (lottery) that complies with state and federal procedures and preferences.

### Sample Questions:

1. Does the School share its goals and plans with the parents? How does it do this? (meetings, letters, calls?)
2. Does the School invite you to come and share information which can be used to help develop a plan for your child?
3. Do you find that staff is respectful of the students in the School? How do you know?
4. Is attendance a high priority for the School? What happens when your child is absent?

5. How is the principal perceived by the parents?
6. How do you think the School functions on a day-to-day basis?
7. What partnerships does the School have with outside agencies and how do they enhance the overall experience of the students at the School?
8. What are some of the things you like most about the School?
9. If you had a chance to make improvements in the School, what improvements would you recommend?
10. How active are the parents at this School? In what ways do they participate?

***The questions and observations during this meeting should be geared toward gathering evidence that supports the quality statements and sub-criteria, such as those listed above. This evidence, in addition to evidence gathered throughout the Quality Review, will then help formulate a Quality Score for each quality statement and sub-criteria.***

**NOTES**

**EVIDENCE**

## CLASSROOM OBSERVATIONS

School reviewers will use this section of the Record Book to take notes and collect evidence of what he/she sees in classrooms during classrooms observations. Prior to visiting classrooms, the reviewer may ask the School leadership if there are areas they would like the reviewers to observe and comment on. The principal may want to highlight a particular structure or routines that he/she has been working on with the staff. Other school principals may be working on uniform routines across all classrooms, while others are more focused on pedagogical practices they want to see in all classrooms. This is optional and not meant to take time away from the focus of the overall School review.

Reviewers should look for the principal's vision of what he/she would be expecting to occur in the classrooms, in addition to:

- ✓ Components of the lesson- group work, project based, individualized, etc
- ✓ Student engagement - What are the students doing during the lesson?
- ✓ Teacher role/strategies- what is the teacher doing during the lesson?
- ✓ On going assessment- how does the teacher know if the students learned what was covered in class?
- ✓ Are students aware of the lesson objectives?
- ✓ Has progress been made in student learning? Are the students' attainment levels appropriate?

**NOTES: CLASSROOM OBSERVATION- MASTER**

Grade and room #	
Class code/subject & time or period	
Number of students	
Type of class	( ) Gen Ed. ( ) Spec. Ed. ( ) EL ( ) Other:

**Evidence and observations:**

**Teaching**

- Subject knowledge; evidence of high quality planning, clearly focused objectives shared with students and support (staff where relevant)
- Suitable challenge for all students; using methods to suit all pupils; high expectations of learning; good use of time;
- Lesson moves with good pace
- Use of assessment findings
- Homework used to reinforce and extend work done in lesson

**Learning**

- Students gain new knowledge, skills & increase their understanding
- Evidence there is impact on literacy and numeracy,
- Students demonstrate understanding, show interest and concentration
- Students demonstrate capacity and skills for independent thinking; apply intellectual, creative and physical effort; show initiative, know how well they are doing and how to improve.
- Where appropriate, students work together to solve problems and support each other in learning

**Commentary / Summary**

Finish with a brief summary of your judgments of the lesson, the main strengths and the areas for improvement. This Summary will be shared with the teacher verbally and the school leader; the school leader will receive a copy of your feedback.

Grade 4 – 1 for Effectiveness of Teaching and Learning			
<u>Teaching</u>	<u>Learning</u>	<u>Progress</u>	

**NOTES:****CLASSROOM OBSERVATION- CLASS 1**

Grade and room #	
Class code/subject & time or period	
Number of students	
Type of class	( ) Gen Ed. ( ) Spec. Ed. ( ) EL ( ) Other:

**Evidence and observations:**

**Teaching**

**Learning**

**Commentary / Summary**

Grade 4 – 1 for Effectiveness of Teaching and Learning			
<b><u>Teaching</u></b>	<b><u>Learning</u></b>	<b><u>Progress</u></b>	

**NOTES: CLASSROOM OBSERVATION- CLASS 2**

Grade and room #	
Class code/subject & time or period	
Number of students	
Type of class	( ) Gen Ed. ( ) Spec. Ed. ( ) EL ( ) Other:

**Evidence and observations:**

**Teaching**

**Learning**

**Commentary / Summary**

Grade 4 – 1 for Effectiveness of Teaching and Learning			
<b><u>Teaching</u></b>	<b><u>Learning</u></b>	<b><u>Progress</u></b>	

**NOTES: CLASSROOM OBSERVATION- CLASS 3**

Grade and room #	
Class code/subject & time or period	
Number of students	
Type of class	( ) Gen Ed. ( ) Spec. Ed. ( ) EL ( ) Other:

**Evidence and observations:**

**Teaching**

**Learning**

**Commentary / Summary**

Grade 4 – 1 for Effectiveness of Teaching and Learning			
<b><u>Teaching</u></b>	<b><u>Learning</u></b>	<b><u>Progress</u></b>	

**NOTES: CLASSROOM OBSERVATION- CLASS 4**

Grade and room #	
Class code/subject & time or period	
Number of students	
Type of class	( ) Gen Ed. ( ) Spec. Ed. ( ) EL ( ) Other:

**Evidence and observations:****Teaching****Learning****Commentary / Summary**

Grade 4 – 1 for Effectiveness of Teaching and Learning			
<u>Teaching</u>	<u>Learning</u>	<u>Progress</u>	

**NOTES: CLASSROOM OBSERVATION- CLASS 5**

Grade and room #	
Class code/subject & time or period	
Number of students	
Type of class	( ) Gen Ed. ( ) Spec. Ed. ( ) EL ( ) Other:

**Evidence and observations:**

**Teaching**

**Learning**

**Commentary / Summary**

Grade 4 – 1 for Effectiveness of Teaching and Learning			
<b><u>Teaching</u></b>	<b><u>Learning</u></b>	<b><u>Progress</u></b>	

**NOTES: CLASSROOM OBSERVATION- CLASS 6**

Grade and room #	
Class code/subject & time or period	
Number of students	
Type of class	( ) Gen Ed. ( ) Spec. Ed. ( ) EL ( ) Other:

**Evidence and observations:****Teaching****Learning****Commentary / Summary**

Grade 4 – 1 for Effectiveness of Teaching and Learning			
<b><u>Teaching</u></b>	<b><u>Learning</u></b>	<b><u>Progress</u></b>	

**NOTES:**

**ADDITIONAL EVIDENCE THAT MAY BE REQUIRED  
BEFORE COMPLETING REVIEW**

# TALKING POINTS FOR EXIT INTERVIEW

## AREAS OF STRENGTH

## AREAS FOR IMPROVEMENT



The reasons for denial of a charter petition as specified in *EC* Section 47605(b) are: (1) the charter school presents an unsound educational program for the students to be enrolled in the school; (2) the petitioners are demonstrably unlikely to successfully implement the program; (3) the petition does not include the number of signatures required by law; (4) the petition does not include all of the assurances required by law; and (5) the petition does not contain reasonably comprehensive descriptions of the following “16 charter elements”:

1. A description of the educational program of the school. If the proposed charter school will serve high school pupils, a description of how the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements must be included in the charter petition.
2. The measurable pupil outcomes identified for use by the school.
3. The method by which pupil progress in meeting those pupil outcomes is to be measured.
4. The school’s governance structure, including parental involvement.
5. The qualifications to be met by individuals employed by the school.
6. Procedures to ensure health and safety of pupils and staff.
7. The means by which the school will achieve racial and ethnic balance among its pupils, reflective of the general population residing in the district.
8. Admission requirements, if applicable.

9. The manner in which annual financial audits will be conducted, and the manner in which audit exceptions and deficiencies will be resolved.
10. The procedures by which pupils may be suspended or expelled.
11. Provisions for employee coverage under the State Teachers Retirement System, the Public Employees Retirement System, or federal social security.
12. The public school alternatives for pupils residing within the district who choose not to attend charter schools.
13. 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.
14. A dispute resolution process.
15. A declaration whether or not the charter school will be the exclusive public school employer of the charter school employees.
16. The procedures to be used if the charter school closes.



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF INNOVATION AND IMPROVEMENT

October 28, 2008

Ms. Carol Barkley  
 Director of Charter Schools  
 California Department of Education  
 Charter Schools  
 1430 North Street, Suite 5401  
 Sacramento, California 95814-5901

Dear Ms. Barkley:

Thank you for the request to amend California's Charter School Program (CSP) grant award (U282A070007) to provide planning and implementation funds to multiple charter schools established under a single charter. Post-award changes to an approved grant must be consistent with the project objectives and approved budget and may not result in a substantial change in the scope or objectives of the approved grant.

The purpose of the CSP is to increase the national understanding of the charter school model and to expand the number of high-quality charter schools available to students across the Nation, by providing financial assistance for the planning, program design, and initial implementation of charter schools and for evaluating the effects of charter schools, including the effects on students, student academic achievement, staff, and parents.

The July 2004 guidance does not specifically address the issue of whether an SEA may award CSP start-up subgrants to multiple charter schools established under a single charter. Under the new guidance issued this past summer, an SEA may not award CSP start-up subgrants to multiple charter schools established under a single charter where the charter schools are merely extensions of each other (*i.e.*, one charter school with multiple campuses). This is true for charter schools established under separate charters if, in fact, they are operated as one charter school. On the other hand, the new guidance states that an SEA may award CSP start-up subgrants to multiple charter schools established under a single charter where the charter schools meet the CSP definition of "charter school" and truly are separate and distinct from each other.

The Department has approved California's request to amend CSP grant award U282A070007. Please file this notification of approval in the official grant file.

If you should have any questions or need additional assistance, please feel free to contact Jeanne Siegel, [Jeanne.Siegel@ed.gov](mailto:Jeanne.Siegel@ed.gov), (202-205-5482). We look forward to working with California to expand high quality charter schools.

Sincerely,

Dean Kern  
 Director  
 Parental Options and Information

400 MARYLAND AVE., S.W., WASHINGTON, DC 20202  
[www.ed.gov](http://www.ed.gov)

*Our mission is to ensure equal access to education and to promote educational excellence throughout the nation.*

There are several sections of the *EC* that illustrate the administrative relationship between a charter school and its authorizing entity. In addition every charter school has the ability to obtain waivers from the SBE and appeal decisions of authorizing entities:

- *EC* Section 47601 – Legislative intent. This section clarifies that the intent of the legislature in enacting the Charter Schools Act was to provide opportunities for teachers, parents, and public and community members to establish and maintain schools that operate independently from the existing school district structure.
- *EC* Section 47604 – Operating as a non-profit benefit corporation. This section states that an authorizing entity is not responsible for the debts or obligations of a charter school operated as or by a non profit benefit corporation.
- *EC* Section 47604.32 – Duties of a chartering authority. This section refers to the fiscal and program oversight responsibilities, the requirements on the authorizing entity related to reporting to the SEA on renewals, revocations, closures of charter schools under its authority.
- *EC* Section 47604.33 – Annual reports. This section requires financial reports from the charter school to its authorizer including a preliminary budget, two interim financial reports annually, and a final report. The authorizing entity is to use this information to assess the fiscal condition of the charter school.
- *EC* Section 47605 – Establishment of charter schools. This section describes the charter petition process including grounds for approval or denial of a petition.
- *EC* Section 47607(c) – Charter school revocation. This section states that charter revocations must be based solely on a school's material violation of its charter; failure to meet pupil outcomes; failure to meet generally accepted accounting

# Budget Narrative

## Budget Narrative Attachment Form

Attachment 1:

Title: CA 2010-15 budget narrative Pages: 10 Uploaded File: G:\Fiscal\PCSGP\2010-15 grant cycle\2010-15 Federal Application development\2010-15 Budget development\Budget Narrative\CA 2010-15 Budget Narrative.doc

**California Charter School Program  
Budget Narrative 2010-2015**

**Project Year 1 (August 1, 2010 – July 31, 2011)**

**Total: \$51,763,027**

**Personnel: \$950,389**

- This amount reflects the salaries of 12.2 funded position in the CDE Charter Schools Division as described in Part III (iv) The quality of the management plan for the proposed project.

**Fringe Benefits: \$327,884**

- This amount is figured at 34.50 percent of salaries per the CDE Budget Office projections for fringe benefit rates.

**Travel: \$24,163**

- Two attendees at the CSP Project Directors' meeting in Washington D.C. (\$3,000: includes air, ground transportation, hotel, per diem).
- Two attendees at the National Public Charter Schools Conference in Washington D.C. (or other host city) (\$3,000 includes air, ground transportation, hotel, per diem).
- Estimated 50 site and/or monitoring visits to sub-grant sites to monitor program progress (\$18,163: includes air travel (when needed), ground transportation, mileage, hotel, per diem)

**Equipment: \$8500**

- This amount reflects the purchase of five laptop computers and software to replace obsolete equipment, at an estimated amount of \$1700 per laptop.

**Supplies: \$29,000**

Supply costs are estimated at:

- Up to eight web-cast sessions (to provide orientation to new sub-grantees and other training sessions) at an average cost of \$225 per session for \$1800

**California Charter School Program  
Budget Narrative 2010-2015**

- General office supplies, printing, copying at an average \$1,850 per month for \$22,200
- Technology enhancements to the CDE CSP grant Web based applications: online application updates, configuration of the quarterly benchmark report electronic data collection process, grant tracking system \$5000

**Contractual: \$725,000**

This amount reflects contractual agreements for:

- The CSP evaluation as described in Part III (vii) The Quality of the Evaluation to be Conducted of the Proposed Project (\$150,000)
- Brokers of Expertise as described in Part II (iv): Dissemination of Best and Promising Practices (\$400,000)
- State Board of Education oversight for the CSP (\$175,000)

**Construction: None**

**Other: \$49,250,000**

- Local assistance funds for Planning and Implementation sub-grants for an estimated 111 new sub-grants (ranging in funding level from \$250,000 - \$575,000) – (\$44,250,000)
- Funding for the Revolving Loan Fund (\$5,000,000)

**Indirect Costs: \$448,091**

- 21.70% of total direct costs, per agreement on file at CDE

**California Charter School Program  
Budget Narrative 2010-2015**

**Project Year 2 (August 1, 2011 – July 31, 2012)**

**Total: \$60,840,000**

**Personnel: \$950,389**

- This amount reflects the salaries of 12.2 funded position in the CDE Charter Schools Division as described in Part III (iv) The quality of the management plan for the proposed project.

**Fringe Benefits: \$327,884**

- This amount is figured at 34.50 percent of salaries per the CDE Budget Office projections for fringe benefit rates.

**Travel: \$24,163**

- Two attendees at the CSP Project Directors' meeting in Washington D.C. (\$3,000: includes air, ground transportation, hotel, per diem).
- Two attendees at the National Public Charter Schools Conference in Washington D.C. (or other host city) (\$3,000 includes air, ground transportation, hotel, per diem).
- Estimated 50 site and/or monitoring visits to sub-grant sites to monitor program progress (\$18,163: includes air travel (when needed), ground transportation, mileage, hotel, per diem)

**Equipment: None**

**Supplies: \$25,500**

Supply costs are estimated at:

- Up to eight web-cast sessions (to provide orientation to new sub-grantees and other training sessions) at an average cost of \$225 per session for \$1800
- General office supplies, printing, copying at an average \$1,850 per month for \$22,200

**California Charter School Program  
Budget Narrative 2010-2015**

- Technology enhancements to the CDE CSP grant Web based applications: online application updates, configuration of the quarterly benchmark report electronic data collection process, grant tracking system \$1,500

**Contractual: \$1,150,000**

This amount reflects contractual agreements for:

- The CSP evaluation as described in Part III (vii) The Quality of the Evaluation to be Conducted of the Proposed Project (\$350,000)
- Charter Development Technical Assistance for preplanning services as described in Part III (iv) The Quality of the Management Plan for the Proposed Project (\$475,000)
- Brokers of Expertise as described in Part II (iv): Dissemination of Best and Promising Practices (\$150,000)
- State Board of Education oversight for the CSP (\$175,000)

**Construction:** None

**Other: \$57,825,000**

- Local assistance funds for Planning and Implementation sub-grants for an estimated 117 new sub-grants (ranging in funding level from \$250,000 - \$575,000) – (\$52,825,000)
- Funding for the Revolving Loan Fund (\$5,000,000)

**Indirect Costs: \$537,712**

- 21.70% of total direct costs, per agreement on file at CDE

**California Charter School Program  
Budget Narrative 2010-2015**

**Project Year 3 (August 1, 2012 – July 31, 2013)**

**Total: \$60,866,275**

**Personnel: \$950,389**

- This amount reflects the salaries of 12.2 funded position in the CDE Charter Schools Division as described in Part III (iv) The quality of the management plan for the proposed project.

**Fringe Benefits: \$327,884**

- This amount is figured at 34.50 percent of salaries per the CDE Budget Office projections for fringe benefit rates.

**Travel: \$24,163**

- Two attendees at the CSP Project Directors' meeting in Washington D.C. (\$3,000: includes air, ground transportation, hotel, per diem).
- Two attendees at the National Public Charter Schools Conference in Washington D.C. (or other host city) (\$3,000 includes air, ground transportation, hotel, per diem).
- Estimated 50 site and/or monitoring visits to sub-grant sites to monitor program progress (\$18,163: includes air travel (when needed), ground transportation, mileage, hotel, per diem)

**Equipment: \$515**

- This amount reflects the purchase of replacement Webinar camera(s) and associated equipment to conduct technical assistance trainings.

**Supplies: \$25,500**

Supply costs are estimated at:

- Up to eight web-cast sessions (to provide orientation to new sub-grantees and other training sessions) at an average cost of \$225 per session for \$1800

**California Charter School Program  
Budget Narrative 2010-2015**

- General office supplies, printing, copying at an average \$1,850 per month for \$22,200
- Technology enhancements to the CDE CSP grant Web based applications: online application updates, configuration of the quarterly benchmark report electronic data collection process, grant tracking system \$1,500

**Contractual: \$1,150,000**

This amount reflects contractual agreements for:

- The CSP evaluation as described in Part III (vii) The Quality of the Evaluation to be Conducted of the Proposed Project (\$350,000)
- Charter Development Technical Assistance for preplanning services as described in Part III (iv) The Quality of the Management Plan for the Proposed Project (\$475,000)
- Brokers of Expertise as described in Part II (iv): Dissemination of Best and Promising Practices (\$150,000)
- State Board of Education oversight for the CSP (\$175,000)

**Construction: None**

**Other: \$57,850,000**

- Local assistance funds for Planning and Implementation sub-grants for an estimated 122 new sub-grants (ranging in funding level from \$250,000 - \$575,000) – (\$55,350,000)
- Funding for the Dissemination Grant Program up to 10 sub-grants (\$2,500,000)

**Indirect Costs: \$537,824**

21.70% of total direct costs, per agreement on file at CD

**California Charter School Program  
Budget Narrative 2010-2015**

**Project Year 4 (August 1, 2013 – July 31, 2014)**

**Total: \$63,252,158**

**Personnel: \$950,389**

- This amount reflects the salaries of 12.2 funded position in the CDE Charter Schools Division as described in Part III (iv) The quality of the management plan for the proposed project.

**Fringe Benefits: \$327,884**

- This amount is figured at 34.50 percent of salaries per the CDE Budget Office projections for fringe benefit rates.

**Travel: \$24,163**

- Two attendees at the CSP Project Directors' meeting in Washington D.C. (\$3,000: includes air, ground transportation, hotel, per diem).
- Two attendees at the National Public Charter Schools Conference in Washington D.C. (or other host city) (\$3,000 includes air, ground transportation, hotel, per diem).
- Estimated 50 site and/or monitoring visits to sub-grant sites to monitor program progress (\$18,163: includes air travel (when needed), ground transportation, mileage, hotel, per diem)

**Equipment: None**

**Supplies: \$25,500**

Supply costs are estimated at:

- Up to eight web-cast sessions (to provide orientation to new sub-grantees and other training sessions) at an average cost of \$225 per session for \$1800
- General office supplies, printing, copying at an average \$1,850 per month for \$22,200

**California Charter School Program  
Budget Narrative 2010-2015**

- Technology enhancements to the CDE CSP grant Web based applications: online application updates, configuration of the quarterly benchmark report electronic data collection process, grant tracking system \$1,500

**Contractual: \$1,175,000**

This amount reflects contractual agreements for:

- The CSP evaluation as described in Part III (vii) The Quality of the Evaluation to be Conducted of the Proposed Project (\$400,000)
- Charter development technical assistance for preplanning services as described in Part III (iv) The Quality of the Management Plan for the Proposed Project (\$455,000)
- Brokers of Expertise as described in Part II (iv): Dissemination of Best and Promising Practices (\$150,000)
- State Board of Education oversight for the CSP (\$175,000)

**Construction: None**

**Other: \$60,200,000**

- Local assistance funds for Planning and Implementation sub-grants for an estimated 127 new sub-grants (ranging in funding level from \$250,000 - \$575,000) – (\$57,700,000)
- Funding for the Dissemination Grant Program up to 10 sub-grants (\$2,500,000)

**Indirect Costs: \$544,222**

- 21.70% of total direct costs, per agreement on file at CDE

**California Charter School Program  
Budget Narrative 2010-2015**

**Project Year 5 (August 1, 2014 – July 31, 2015)**

**Total: \$60,225,000**

**Personnel: \$950,389**

- This amount reflects the salaries of 12.2 funded position in the CDE Charter Schools Division as described in Part III (iv) The quality of the management plan for the proposed project.

**Fringe Benefits: \$327,884**

- This amount is figured at 34.50 percent of salaries per the CDE Budget Office projections for fringe benefit rates.

**Travel: \$24,163**

- Two attendees at the CSP Project Directors' meeting in Washington D.C. (\$3,000: includes air, ground transportation, hotel, per diem).
- Two attendees at the National Public Charter Schools Conference in Washington D.C. (or other host city) (\$3,000 includes air, ground transportation, hotel, per diem).
- Estimated 50 site and/or monitoring visits to sub-grant sites to monitor program progress (\$18,163: includes air travel (when needed), ground transportation, mileage, hotel, per diem)

**Equipment: None**

**Supplies: \$25,500**

Supply costs are estimated at:

- Up to eight web-cast sessions (to provide orientation to new sub-grantees and other training sessions) at an average cost of \$225 per session for \$1800
- General office supplies, printing, copying at an average \$1,850 per month for \$22,200

**California Charter School Program  
Budget Narrative 2010-2015**

- Technology enhancements to the CDE CSP grant Web based applications: online application updates, configuration of the quarterly benchmark report electronic data collection process, grant tracking system \$1,500

**Contractual: \$1,175,000**

This amount reflects contractual agreements for:

- The CSP evaluation as described in Part III (vii) The Quality of the Evaluation to be Conducted of the Proposed Project (\$400,000)
- Charter development technical assistance for preplanning services as described in Part III (iv) The Quality of the Management Plan for the Proposed Project (\$450,000)
- Brokers of Expertise as described in Part II (iv): Dissemination of Best and Promising Practices (\$150,000)
- State Board of Education oversight for the CSP (\$175,000)

**Construction:** None

**Other: \$60,225,000**

- Local assistance funds for Planning and Implementation sub-grants for an estimated 133 new sub-grants (ranging in funding level from \$250,000 - \$575,000)

**Indirect Costs: \$543,137**

- 21.70% of total direct costs, per agreement on file at CDE