

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item#__11.1__

Meeting Date: November 1, 2012

<u>Subject</u>: Public Hearing and Action on Charter School Renewal Petition – Aspire Capitol Heights Academy (CHA)

- Information Item OnlyApproval on Consent Agenda
- Conference (for discussion only)
 - Conference/First Reading (Action Anticipated:
- Conference/Action
- Conferenc
 - Public Hearing

Division: Accountability Office

<u>Recommendation</u>: To conduct public hearing to consider the level of support for the Aspire Capitol Heights Academy (CHA) charter renewal petition and to conference and take action to approve the renewal petition.

Background/Rationale: The Governing Board will hold a public hearing in accordance with Education Code section 47607 (b) to consider the level of support for the renewal of Aspire Capitol Heights (Charter renewal date: July 1, 2013). The district received the Aspire Capitol Heights renewal petition on September 6, 2012. The school waived the 30 days public hearing in favor of a joint public hearing and board action timeline at this November 1, 2012 board meeting. As such, District staff has conducted an extensive review of the petition. The staff report and recommendation are being presented for Board Action on November 1, 2012.

<u>Financial Considerations</u>: The financial considerations are outlined within the executive summary document.

Documents Attached:

- 1. Executive Summary
- 2. Charter School Petition
- 3. Charter School Petition Appendices are located on district website: <u>www.scusd.edu/Board-Education-Meeting/November 1-2012-Board-Meeting/</u>

Estimated Time of Presentation: 15 minutes

Boardof EducationExecutive

AccountabilityOffice PublicHearingandAction on CharterSchoolRenewal Petition-AspireCapitolHeightsAcademy Novembertion

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activities that may not comply with State conflict of interest laws applicable to public agencies No action was required from Capitol Heights Academy.

<u>CHA'sResponse</u>CHAhasnoted staff's adviceto proceedat their own risk in undertaking activities that may not comply with Stateconflict of interest laws applicable to public agencies.

3. ElementF, Healthand SafetyProcedures

<u>StaffRecommendationThepetition</u> stated that Aspirehas adopted and implemented health and safety procedure as well as risk management policies at each school site in consultation with its insurance arriers and risk management experts, however the policies and procedures were not included.

<u>CHA'sRespons</u>eCHAincluded the Health and Safetyplan (revised petition, AppendixXIII) District Staff are satisfied with the revision and this element is now reasonably comprehensive.

4. ElementG, Meansto AchieveRacialand EthnicBalance

<u>StaffRecommendationThepetition described</u> genericplanto recruit for diversity; one that wasn't specific to SacramentoDistrict recommendedCHA to provide specific examples f how Aspirehas recruited for diversity that reflectsSacrament community over the years.

<u>CHA'sRespons</u>eTherevisedpetition expanded the element and now provides comprehensive descriptions stating that the principal has gone to local Oak Park preschools with special presentations and flyers. In addition, the school has given out flyers at the Community Farmers Market, the Salvation Army Community Center, the Women and Children's Center, Food Source the Colonial Heights Library, the local churches in Oak Park, as well as the La Familia Festival and other local community events. All recruitment materials are translated in English and Spanist (revised petition, Appendix XIV).

5. ElementH, AdmissionsRequirement

<u>StaffRecommendation</u>Theoveralladmissionsprocessdescriptionsare satisfactorybut original petition did not include1) student interest form; 2) registration form; 3) sampleparent, student, teachercompact.

<u>CHA'sRespons</u>e:Therevisedpetition addedlanguageto elementH, which makes the petition reasonably comprehensive its descriptions.CHA's addedlanguage included the student

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interest form (AppendixXV) as well as included a Parent, Student, Teachercompact (revised petition, AppendixXVII).

6. ElementJ, StudentSuspensioand Expulsion

<u>StaffRecommendationStaffrequested</u>the element to revise the expulsion processby deleting the right to appeal expulsion to the Sacrament CountyOffice of Education (SCOE)Especially since on such right exists unless the CharterSchool has contracted with the SCOE.

<u>CHA'sRespons</u>e:Therevisedpetition now containsthe most recent version of Aspire's suspension and expulsion administrative regulations (revised petition, AppendixXIX) An outdated version of the administrative regulations had in advertently been attached with the original submission. The most recent version of the administrative regulations for appeal to the County Office of Education.

7. ElementN, DisputeResolutiorProcess

<u>StaffRecommendationStaffrequested</u>that petition detail the disputeresolution process outlined and recently agreed upon in the most recent Operational Memorand umof Understanding.

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ASPIRE CAPITOL HEIGHTS ACADEMY

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Aspire Capitol Heights Academy Charter: Assurances

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! Aspire Capitol Heights Academy (ÒschoolÓ) will follow any and all federal, state, and local laws and regulations that apply to the School, including but not limited to:

- 1. The Schoolshall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- 2. The School

- 8. The Schoolshall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- 9. The Schoolshall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. [Ref. California Education Code Section 47605(I)]
- 10. The Schoolshall at all times maintain all ne cessary and appropriate insurance coverage.
- The Schoolshall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A) (D).
- 12. If a pupil is expelled or leaves the School without graduating or completing the school year for any reason, the School shall notify the superintendent of the school district of the pupilÕs last known address within 30 days, and shall, upon request, provide that school district with a copy of t he cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- 13. The Schoolshall maintain accurate and contemporaneous written records that document all pupil a ttendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
- 14. The Schoolshall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. Calfornia Education Code Section 47605(c)]
- 15. The Schoolshall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605

- 22. The School shall meet or exceed the legally required minimum of school days.[Ref. Title 5 California Code of Regulations Section 11960]
- 23. The School shall adhere to all applicable provisions of federal law relating to students who are English learners, including Title VI of the Civil Rights Act of

INTRODUCTION

Aspire Public Schools (ÒAspireÓ) hereby r**es**ctfully submits this charter renewal on behalf of Aspire Capitol Heights Academy (Òthe SchoolÓ).

Aspire was founded in 1998by experienced educators and entrepreneurs to enrich studentsÕ lives and to contribute to innovation in local public school systems. Aspire currently operates charter schools at 34 different campuses in various school districts throughout the state of California. Aspire is a California non -profit 501(c)(3) public benefit corporation and its mission includes the following:

- ¥ To increase the academic performance of underserved students
- ¥ To develop effective educators
- ¥ To share successful practices with forward thinking educators
- ¥ To catalyze change in public schools

The School has been chartered in the Sacramento City Unified School District (ÒDistrictÓ) unde the auspices of Aspire since 2003 The School has had an excellent academic record including meeting (or exceeding) is State API growth targets. The School has also 2 (ha) 0.1 (s) -0.1 () -03 ord ing) is

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(g) Provide vigorous competition within the public school system to stimulate

PETITION ELEMENTS <u>&>?@?AB!#4!&CDEFBGHAF</u>J!,IHJIF@

A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an Oeducated personÓ in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self - motivated, competent, and lifelong learners.

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opportunities. The School will strive to ensure that students are prepared for college and for the 21st Century world and workplace by helping them develop important basic skills, thinking skills, and life skills.

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Aspire schools are small with approximately 60 students per grade level. They are broken into divisions and small classes to create a community where each student is known personally.

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¥ Modified Tradi tional Calendar:

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knowledge and processes from the major branches of science (biology, cheinstry, the earth sciences and physics) in order to further the study of science and relate the study of science to other disciplines. Aspire uses a variety of curriculum materials and the state adopted textbooks may be supplemented with AIMS, FOSS, and local scientific resources such as guest speakers, field trips, and presentations.

Other subjects essential to a healthy and balanced life are also covered in a variety of ways:

¥ Visual and Performing Arts: Appreciation and participation in the arts are essential to each studentÕs development. At the elementary level, arts are integrated into thematic units to inspire students, help ideas come to life by using multiple intelligences, and ensure cultural literacy. Visiting artists and parent docents also provide special programs in the arts. Aspire secondary schools offer some on-campus electives in visual and performing arts and establish ¥ Other nationally recognized norm - referenced and/or developmentally based tests (e.g. Developmental Reading Assessment,SRI Reading Assessment)

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budget resources and professional development and evaluated regularly for efficiency and needed improvements.

¥ Home Language Survey

The School will administer the home language survey upon a studentÕs initial enrollment into the School (on enrollment forms). Spanish-speaking students in the country less than twelve months will be given the stateÕs Designated Primary LanguageTest (currently the Aprenda and Standards-Based Tests in Spanish) to determine the studentÕs academic proficiency when tested in his/her home language of Spanish.

¥ CELDT Testing

All students who indicate that their home language is other than E799 571.8 cm BT 5-0.1 (t) -(

reclassification process.

¥ Comparison of the pupilÕs performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

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Aspire sets high expectations for all students and is committed to working with students who are not meeting outcomes to help them achieve at expected levels. Students who perform below the acceptable level may receive a mix of intervention services, including: in-class individual tutoring by classroom teachers; in-class small-group tutori ng by classroom teachers; before or after-school tutoring by non-classroom educators in a one-on-one or in small groups; participation in a specialized support class taught by a literacy specialist or other educator. Materials for intervention services may be designed by the educator or based on an offthe

The decisions regarding specialized academic services each student will receive are the responsibility of the In dividualized Education Team, which includes the involvement of parents in decision-making and developing the written Individualized Education Plan.

The identification process for students who would be eligible for special education services begins when sudents have been accepted through the enrollment lottery and enrolled in the School. Through the process of OChild FindÓ, the Student Success Team serves parents, students and staff to address student needs and to initiate the referral process, if appropriate, for special education.

Specialized Academic Instruction will be provided by the Education Specialist (Mild/Moderate or Moderate/Severe) as determined in an eligible studentÕs Individual Education Plan. To support inclusive classroom practices, flexible learning options or environments, such as a Learning Center, will be provided as needed for students with specific accommodations or modifications to their learning program as included in their individual IEP. These options will also serve general education students with intensive academic or behavioral support needs as determined through the intervention process.

LEA Member in EDCOE Charter SELPA

The School shall assume full responsibility for the provision of special education and related services to eligible students as an LEA member of the El Dorado County Office of Education (EDCOE) Charter SELPA. As such, State and Federal funding shall be allocated directly to the School per the allocation plan of the Charter SELPA. The School shall æsume responsibility for the general education contribution which may be necessary for the provision of special education services to identified students and shall meet the annual Maintenance of Effort Requirement.

The School shall participate as an LEA member of the El Dorado County Office of Education Charter SELPA for the purposes of special education.

LEA Assurances

As required of LEA members within the EDCOE Charter SELPA, the School provides the following assurances:

- ¥ Free Appropriate Public Education (FAPE)-The School will assure that a free appropriate public education shall be provided to all enrolled students including children with disabilities who have been suspended or expelled from school.
- ¥ Child Find The School will assure that all students with disabilities are identified.
- ¥ Full Educational Opportunity -The School will assure that all students with disabilities have access to the full range of programs available to nondisabled students.

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The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.

All 5 th Graders will pass Aspire Math Basic Skills Test with 90% or higher		
Annual Basis: 95% of families and students are satisfied	Annual Surveys	
Annual Basis: 100% of all students with an IEP meet a minimum of 80% of IEP goals	Annual Meeting Data	
Annual Basis: Students are reclassified English Language Proficient	Annual RFEP Data	

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Aspire will collect and analyze data on student achievement on a regular basis and will provide student achievement data to staff, parents and guardians, and the District:

- ! Staff will receive data on student achievement during staff meetings using the Data Portal and will use this data to help monitor and improve AspireÕs education program;
- ! The Principal and other administrators will receive data on the schoolÕs student achievement, attendance, and discipline using AspireÕ&dmin Data Portal and Principal Operational Dashboard;
- ! Parents and guardians will receive data on student achievement when they meet with their childÕs teacher to develop, modify, or review their childÕs PLP; and
- ! The District will receive data on student achievement through School reports and/or presentations.

Aspire uses the State Testing and Assessment Reports to assist in identifying strengths and weaknesses at a student, classroom, grade level, school and organization. Additionally, the SABE/2 and the California Physical Fitness test will be administered and used to inform the school program. Every summer each school will have a staff retreat where the data will be analyzed. School wide plans for professional development will be based on these plans.

Aspire uses many in-house assessments which inform daily instruction. Three Aspire assessments provide the best benchmarks of a studentÕs progress towards reaching the state standards.

- o Student achievement: Academic Performance Index, course grades, behavior, and internal benchmark scores;
- o Affiliation: results on the staff, parent, and student surveys, teacher retention; and
- o Financial: actual versus budget and forecast; aveage daily attendance.

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If Aspire does not test (i.e., STAR) with the District, Aspire hereby grants authority to the State of California to provide a copy of all test results directly to the District as well as the charter school.

Test results for the prior year, if not provided directly to the District by the State, will be provided by the charter school to the District no later than September 1 of each year.

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Aspire maintains sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from District and other autho

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express a grievance to Aspire about the School. The Ombudsman, a respected

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The qualificati ons to be met by individuals to be employed by the school.

- California Education Code Section 47605(b) (5) (E)

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skills to mentor others. Teachers are then able to collaborate and support each other to reach the SchoolsÕ and individual studentsÕ learning goals. Aspire also has instructional coaches who provide additional support, provide one-on-one consultation, conduct experience-based group sessions (e.g. New Teacher Support Program), and guide educators in their application for certification from the National Board for Professional Teaching Standards. Teachers are evaated by their School Principal at least twice a year according to research-based criteria. A copy of AspireÕs Evaluation Tool is attached in Appendix XII.

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The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.

- California Education Code Section 47605(b) (5) (F)

In order to provide safety for all students and staff, Aspire has adopted and implemented full health and safety procedures and risk management policies at each school site in consultation with its insurance carriers and risk management experts. A copy of the SchoolÕs health and safety plan is attached in Appendix XIII.

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Employees and contractors of Aspire Public Schools will be required to submit to a criminal background check and to furnish a criminal record summ ary as required by Education Code Sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record s ummary. AspireÕs Human Resources department, along with the Chief Academic Officer, shall monitor compliance with this policy. Volunteers outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearanceprior to volunteering without the direct supervision of a credentialed employee.

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All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws.

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Faculty and staff will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

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All students enrolled and staff will be required to prov ide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325120375, and Title 17, California Code of Regulations Sections 6000 6075.

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The School will adhere to Education Code Section 49423 regarding administration of medication in school and will abide by all guidance as issued by the California Department of Education and applicable law.

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Students will be screened for vision, hearing and scoliosis. Aspire will adhere to Education Code Section 49450, et seq, as applicable to the grade levels served by the School.

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The School shall adhere to Emergency Preparedness Procedures drafted specifically to the needs of the school. These procedures shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a **s**hool site, any existing

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Aspire is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, cree¢olor, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. Aspire has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the school (including employee to employee to student, and student to employee misconduct).

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The means by which the school will achieve a racial and ethnic balance among its pupils that is reflect

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Admission requirements, if applicable .

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- California Educat ion Code Section 47605(b) (5) (H)

Upon confirmation that a student has secured a spot at the school, parents must submit a completed Registration Form. A sample copy of the Registration Form is attached in Appendix XVII. A sample copy of the Parent, Student, Teacher compact is attached in Appendix XVIII.

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Aspire typically utilizes the following application, public random drawing, and admission schedule. The schedule below may be abbreviated to ensure all steps are followed within a shorter timeframe if required by the opening date of a particular Aspire school.

December Đ January	Recruit students (via referrals, networking, and holding enrollment and option fairs). Collect Student Interest Forms.
January - March	Send re-enrollment forms to existing students to identify open seats. Public random drawing conducted (if necessary).
March - May	Waitlist letters distributed to applicants not selected in the public random drawing. Acceptance letters and registration packets distributed to parent and children who have been drawn in the public random drawing.
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The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. <u>&>?@?AB!D#RG>!+DPR?APGHA!FAC!&aRD>PGH</u>A!,IHE?CDI?P

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The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools...

- California Education Code Section 47605(b) (5) (L)

Aspire is a Òschool of choiceÓ and cognizes that pupil attendance is voluntary and the Aspire Board of Directors shall not require any pupil to attend an Aspire school.

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The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

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- California Education Code Section 47605(b) (5) (N) !
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Aspire is committed to working with the District in a spirit of cooperation. The staff and Governing Board members of Aspire agree to attempt to resolve all disputes between the District and Aspire regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Any controversy or claim arising out of or relating to the charter agreement between the District and Aspire, shall be subject to the following procedure until a resolution is reached. Once the District and Aspire have exhausted the procedures stated in (a) D (c) below, each may pursue a remedy as entitled to them by law. Notwithstanding the foregoing, if any such dispute concerns facts or circumstances that may be causefor revocation of the Charter, the District shall not be obligated by the terms of this section as a precondition to revocation.

- (a) The disputing party shall provide written notice of the dispute to the other party. Thereafter, AspireÕs CEO or designee shall meet with the DistrictÕs Superintendent or designee within thirty (30) days to attempt informal resolution of the dispute.
- (b) In the event this informal meeting fails to resolve the dispute, both Parties or their designees, within sixty (60) days counting from the initial informal meeting date, shall identify two governing board members from their respective boards who sm -0.1189.08 cm BT 50 0 0 50 0 0 Tm /F8.0 1h3.y54.1 (s) -0 (e) -0.4 (n) 0.2 I-0.1189..6

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A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of ovpioneem Tf 1t3spd>pt G(r) -0.4 () -0.2 1 Tf [((C) -0.1 (h) 0.5v (cnsr I!1?E> (!) Tj E

schools are located, the Charter SchoolÕs SELPA, the retirement systems in which the SchoolÕs employees participate (e.g., Public EmployeesÕ Retirement System State TeachersÕ Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person (s) to whom reasonable inquiries may be made regarding the closure; the pupilsÕ school districts of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board will ensure that the notification to the parents and students of the schools of .0 1 Tf [(w) -0.3 (ho).0C.4 (c) -0.1 (l) -0.1 (o) 74.8 (n) 0.2 (o) -0.1 (t) -0.2 (if) -0.2 (o) -0.1 (

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! ! Aspire will have an independent audit completed within six months after the closure of the School. This may coincide with the regular annual audit of Aspire. The purpose of the audit is to determine the net assets or net liabilities of the School. The final audit will include an accounting of all the SchoolÕs financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the School. The cost of the audit will be considered a liability of the School.

In addition to this final audit, the School will also submit any required year -end financial reports to the CDE and the District in the form and time frame required ,

Charter -Related Issues <u>"?I@!H\!)SFIB?I!,?BGB</u>GHA

A charter may be granted pu rsuant to Sections 47605É for a period not to exceed five years. A charter granted by a school district governing boardÉmay be granted one or more subsequent renewals by that entity. Each renewal shall be for a v.ICiod f

- California Education Code Section 47607(b)(1)-(4) and 47607(c)

The District may revoke the charter of this School, subject to a reasonable opportunity to cure, in accordance with Education Code Section 47607, any successor provisions to section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.

The corporate bylaws of Aspire shall provide for indemnification of the AspireÕs Board, officers, agents, and employees, and Aspire will purchase general liability insurance, Board Members and OfficerÕs insurance, and fidelity bonding to secure against finacial risks. Insurance coverage may be made by joint powers authority authorized to conduct business in the State of California and limits will set at commercially reasonable levels. A copy of AspireÕs Evidence of Insurance is attached in Appendix X. The District shall be named as an additional insured and Aspire will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

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Attached, in Appendix XXIa, please find the following documents for the School:

- ¥ 3-year budget and cash flow
- ¥ Budget assumptions

Aspire has been receiving funding pursuant to provisions of the California Education Code as it has opted to be direct-funded. Any funds due to the school that flow through the District shall be forwarded to Aspire in a timely fashion . During the term of this charter petition, Aspire and the District will negotiate in good faith to develop a Memorandum of Understanding that establishes the specific financial and service relationship between the two parties.

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Aspire shall provide reports to the District as follows, and may provide additional fiscal reports as requested:

- 1. By July 1, a preliminary budget for the current fi scal year.
- 2. By September 15, a final unaudited report for the full prior year.
- 3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31.
- 4. By December 15, a copy of the SchoolÕs annual, independerintáncial audit report for the preceding fiscal year.
- 5. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.

APPENDIX

- I. School site data
- II. Sample School Calendar
- III. Sample Instructional Guidelines
- IV. List of individuals responsible for curriculum development
- V. Technology access for students
- VI. Map of English Language Development Standards to Aspire Instructional Guidelines
- VII. 504 Procedures and Enrollment Steps
- VIII. Board of Directors Biographies
 - IX. Articles of Incor poration, Bylaws