



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 9.1

**Meeting Date:** April 12, 2012

**Subject:** Charter School Renewal Petition – Sacramento New Technology High School

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**Division:** Accountability Office

**Recommendation:** To take action to approve the renewal petition of the Sacramento New Technology High School. Staff report was presented at the March 1, 2012 board meeting.

**Background/Rationale:** The district received the Sacramento New Technology High School renewal petition on January 17, 2012 and a public hearing was held on February 2. District staff conducted an extensive review of the petition. The staff report and recommendation were presented for Board Action on March 1, 2012. However, the board postponed the decision and requested more information before consideration and action on April 12, 2012 board meeting.

**Financial Considerations:** The financial considerations are outlined within the executive summary document.

**Documents Attached:**

1. Charter Petition is located on the District web-site: [www.scusd.edu](http://www.scusd.edu)  
(under Board of Ed./Board Meetings, February 2nd Board Meeting – agenda item 9.2)
2. Revised documents are located on the District web-site: [www.scusd.edu](http://www.scusd.edu)  
(under Board of Ed./Board Meetings, March 1st Board Meeting – Agenda item )
3. Executive Summary

**Estimated Time of Presentation:** 10 minutes

**Submitted by:** Chiem-Seng Yaangh, Ph.D., Coordinator

**Approved by:** Mary C. Shelton, Chief Accountability Officer

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### Staff Report on Charter School Renewal Petition – Sacramento New Technology High School

#### I. Overview of Charter School Renewal Petition:

The Sacramento City Unified School District (“District”) received a charter petition (“Petition”) from the Sacramento New Technology High School (“SNTHS”) on or about January 17, 2012. The Petition proposes the renewal of the charter for five years, from July 1, 2012 through June 30, 2017.

After reviewing the renewal petition, the District provided SNTHS with a list of four (4) elements that were identified as needing modification prior to staff recommendation for approval of the renewal petition. In response, SNTHS provided the District with an updated renewal petition (“Revised Petition”).

The District first granted the SNTHS charter school in June 2003 and renewed the charter on April 19, 2007. The charter for SNTHS expires on June 30, 2012. Sacramento New Technology High School offers “a challenging, college preparatory curriculum that engages and meets student needs. It is also committed to offering skills recovery courses to those students that need assistance attaining proficiency.” SNTHS offers all students’ access to their Design Pathway, which includes Visual Communications, Illustrator, Web Design, Advanced Digital Media, Motion Graphics, and Portfolio.

#### II. Driving Governance:

The Charter Schools Act of 1992 (“Act”) governs the creation of charter schools in the State of California. The Act includes Education Code section 47605(b) which provides the standards and criteria for petition review, and provides that a school district governing board considering whether to grant a charter petition “shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.” (Ed. Code, §47605(b).) In addition, the Act provides that renewals and material revisions of charters are governed by the standards and criteria set forth in Education Code §47605. Specifically, the governing board may not deny a petition for renewal unless it makes written factual findings setting forth specific facts to support one, or more of five findings:

- 1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school,
- 2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition,
- 3) The petition does not contain the number of signatures prescribed by code,

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- 4) The petition does not contain an affirmation of each of the conditions prescribed by code and
- 5) The petition does not contain reasonably comprehensive descriptions of sixteen certain elements in its program and operations.

Newly-adopted State regulations require the automatic renewal of a charter school petition, if a school district fails to adopt written factual findings to support a denial within 60 days of the district's receipt of a petition. (Cal. Code Regs., tit. 5, §11966.4(c).)

In addition, a charter school seeking renewal must also meet at least one of the following criteria as set forth in Education Code §47607:

- 1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.
- 2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
- 3) Ranked 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.
- 4) 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 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.

If one of those standards is met, the governing board may grant the renewal assuming that the renewal petition also complies with the standards and criteria of Education Code §47605, as discussed above. SNTHS achieved its academic performance index (API) growth target during the prior year (2010-2011). In 2010-2011, SNTHS's API growth target was six (6) and its actual growth was eighteen (18). The school has begun a four-year plan to focus on academic language, academic reading and writing. The school is diligently addressing interventions with all students to improve academic outcomes.

SNTHS has met the criteria for academic achievement standards set forth in Education Code section 47607 and has complied with Education Code section 47605 and we recommend that the governing board grant SNTHS's renewal petition.

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### III. Results of Petition Review:

Although the Petition generally provided the information required by the Charter Schools Act of 1992 (Education Code §47605) there were concerns from staff and legal counsel as to whether the Petition provides a program entirely consistent with the required affirmations. The three (3) areas identified by the District as requiring modification prior to approval were: 1) Element A, Education Program as it relates to Special Education Students and English Language Learners; 2) Element D, Governance Structure Pertaining to Parent Involvement; 3) Element G, Means to Achieve Racial/ Ethnic Balance Reflective of District; and 4) Element M, Description of Employee Rights.

SNTHS timely and effectively responded to staff concerns by submitting to the District the Revised Petition.

*1. Element A, Education Program as it Relates to Special Education Students and English Language Learners*

Staff Recommendation: The original renewal petition can be strengthened through a more explicit description of the services and instructional support provided to students with special needs. This would need to include how instruction is designed and differentiated to provide accommodations and modifications as well as how student learning is monitored. Similarly, the English Language Learner section needs more detailed description of how students will be supported to acquire English language proficiency and how learning of English is monitored.

SNTHS's Response: The revised petition expanded the Special Education and English Language Learner sections, which provided the comprehensive descriptions that are required for Element A. The Special Education section described how students with disabilities are served at SNTHS. For instance, SNTHS asserts:

Special Education students are admitted through cooperation between SCUSD and the administration of SNTHS. All incoming IEP students have a meeting during which the IEP is revisited by the Special Education teacher who assists in determining how to best implement the IEP in our collaborative system. All IEPs are housed on our platform ECHO and are available for teachers at all times and used to scaffold projects and assignments for students. (Revised Petition, page 11).

Furthermore, SNTHS has articulated that they serve students with disabilities by providing appropriate accommodations and modifications which complies with section 504 and ADA. As such SNTHS explains:

The Counseling Office and the Principal's designee are the primary 504 coordinators and 504 plans are developed by the coordinators, the current teachers of the student and the parents. The 504 team meets and reviews the student's existing records, including academic, social and behavioral records and in conjunction with the parent and the

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student, makes a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation is carried out by the 504 team and an evaluation is done to determine the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities.

(Revised Petition, page 12-13).

The English Language Learner section includes description of how English Language Learners are identified, assessed, reclassified, and served at SNTHS. To support English Language Learners, SNTHS:

- Secures each student's Home Language Survey
- Assesses students daily, within each project and annually via CELDT;
- Reclassifies ELL students when they achieve English proficiency;
- Provides high quality professional development in ELL strategies for teachers;
- Fosters parent and community involvement to support ELL developments;
- Notifies parents of their student's progress (Daily available on ECHO, regular
- Progress reports, meetings, and report cards)

(Revised Petition, page 7-8)

To support to English Language Learners in each classroom, the following strategies are employed either within workshops or within the re-teach sessions:

- Identifying Similarities/Differences
- Summarizing and Note Taking
- Reinforcing Effort and Providing Recognition
- Homework and Practice aimed at supporting skill development and project development
- Non-Linguistic Representation
- Portfolio work—used for setting goals and providing evidence and feedback
- Generating and testing Hypotheses
- Cues, Questions, and Advanced Organizers

(Revised Petition, page 7-8)

Moreover, SNTHS's system of Project Based Learning offers almost continuous opportunities to hear and speak English.

The school environment supports the student when trying to communicate in English and by use of multiple modalities for instruction it offer opportunities for students to see visually the content of the lesson that supports EL development. Each EL student will have a specific written plan of English language support, which will be developed by the teacher, the student and the parents. (Revised Petition, page 7).

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### *2. Element D, Governance Structure Pertaining to Parent Involvement*

Staff Recommendation: Sacramento New Technology High School's charter petition does not provide a reasonably comprehensive description of how the school proactively involves parents in the school and in their children's education.

SNTHS's Response: The revised petition expanded the governance structure pertaining to parent involvement, particularly in the area of parents as partners and leadership and decision-making opportunities. SNTHS values parents as partners in student learning. A key strategy for parent involvement at SNTHS is parents are expected to volunteer 40 hours of service to the school aimed at supporting student success. Many of the parent service hours include:

Parents are asked to be present for all evening presentations, all meetings concerning their child, Back to School and Open House and may visit their child at any time. Parents who have students who are struggling are asked to attend classes with their child. Parents earn hours for emailing and communicating with teachers, serving on Project Panels, and working with their student or groups of students on projects. Parents whose work hours make it difficult to come during the day may attend afternoon workshops offered by the counseling office or evening student/parent college/career workshops held by grade level each semester.

(Revised Petition, page 4)

Furthermore, parents at SNTHS also are provided many opportunities to participate in leadership roles and decision-making opportunities to improve the school. Some of these opportunities include:

- Membership on the Charter Advisory Board (CAD)
- Membership on the Parent Teacher Organization (PTSA)
- Volunteer opportunities—project panels, evening presentations, fieldtrips, Career Conversations
- Fundraising
- Community outreach and recruitment
- Marketing

(Revised Petition, pages 4-5)

### *3. Element G, Means to Achieve Racial/ Ethnic Balance Reflective of District*

Staff Recommendation: The description in this element requires more detail description, including a list of several specific practices and policies likely to lead to a diverse applicant pool/enrollment. The practices and policies should be selected to target relevant racial and ethnic groups.

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SNTHS's Response: The revised petition provided further details of outreach strategies in the hopes to obtain racial and ethnic balance reflective of the District. Some of the examples include:

- Lunchtime outreach efforts at all Middle Schools, K-8s and parochial schools
- Attend and recruit at all Open Enrollment Fairs
- The advertisement of outreach activities on its website, through community newsletters and in local newspapers, ethnic radio broadcasts, as appropriate.
- Bulletins and table displays at ethnic supermarkets
- Presence at local ethnic festivals

(Revised Petition, Page 18)

#### *4. Element M, Description of Employee Rights*

Staff Recommendation: This element of the charter did not describe sick/vacation leave ability to carry it over to and from the charter school, did not describe whether staff will continue to earn service credit (tenure) in the district while at charter school, did not show how employees will be paid, did not provide a description of employment benefits, and did not identify whether the charter school will be responsible for the payment of social security.

SNTHS's Response: The revised petition further addressed employee rights and this element is now reasonably comprehensive. As district employees, faculty and staff at SNTHS:

- Are part of the collective bargaining unit;
- May resume employment within the district if they leave SNTHS;
- Sick/vacation leave carry over;
- Continue to earn service credit (tenure) while at the charter school;
- Are salaried employees of SCUSD;
- Eligible for all SCUSD employee benefits;
- Earn tenure per the SCUSD policy;
- Are eligible for STRS or PERS per SCUSD policy

(Revised Petition, page 20)

At the March 1, 2012 board meeting, the board had several questions about New Tech and requested information for the April 12, 2012 meeting. The questions and information are as follows:

Financial Impact: District Staff has conducted research into the financial impact on the district if New Tech was to be converted back into traditional school. Based on the school's 330 ADA projection for 2012-2013 school year, the projected cost to bring New Tech back as a district school is at \$662,000 for several reasons indicated below:

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- Loss of 45 out-of-district ADA. When converting charter to district school, the district cannot get credit for out of district students.
- Loss of \$1,370 per ADA. (Current year per ADA for a charter school is \$6,526 and district school is \$5,156).
- Loss of \$295,966 fees generated from the charter for facilities use, oversight fee, and other services.

Marketing Plan: SNTHS has a comprehensive recruitment plan to increase their enrollment for 2012-2013 school year and beyond. The school has monthly recruitment activities that are clearly outlined in the revised petition. The key marketing strategies include:

1. Face to Face recruitment
2. Letters to Parents
3. Participation in Community Events
4. Direct Advertisement
5. Current parents and students
6. Online Advertising
7. Student Work in Public Places—with acknowledgment of the school/contact information
8. Facebook “Fan” page
9. Twitter
10. Student Facebook Campaign

School-Wide Data: SNTHS’s school-wide data shows academic growth and meets the needs of its student population.

- There was an 18 point growth in the API for the 2010-2011 school year
- The Latino subgroup met and exceeded their API target moving from 640 to 655
- The Socioeconomic subgroup met and exceeded their API target moving from 658 to 681
- English Language Learners as a subgroup moved from an API of 587 to an API of 617 (reflective of the new strategies being employed)
- New Tech's API has improved 22 points in the last five years from and API of 672 to 699
- The school is NOT and NEVER has been in PI
- The school is and always has been financially viable (the school has maintained a carry over balance since it's inception)
  - 2004-2005: \$97,093
  - 2005-2006: \$292,541
  - 2006-2007: \$212,691
  - 2007-2008: \$435,873
  - 2008-2009: \$492,537
  - 2009-2010: \$495,813



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- 2010-2011: \$408,223
- 2010-2011: \$211,653 (major technology upgrade)
- 2011-2012: Estimated to be approximately \$160,000
- Forty-Five non-resident students bring about \$260,000 to the district
- New Tech sends 93% of its seniors to college
- New Tech maintains an up to date technology for students using its own resources

ELL Data: The chart below contains the data that showing New Technology High School's API and AYP on English learners for the past four years. At present time, school level data is not available for individual English learners by language or ethnic groups.

API	School Year	2011	2010	2009	2008
	Number of Students	66	72	52	51
	Points	617	588	NS	NS

AYP	School Year	2011	2010	2009	2008
	Number of Students	22	25	NS	NS
	ELA-Percent Proficient or Above	22.7%	20.0%	NS	NS
	Math-Percent Proficient or Above	13.6%	36.0%	NS	NS

**NS**-Not Significant therefore no data available

**NR**-No Record

Accountability Framework: As part of the District-Charter high performing schools compact work, the District is convening a committee to develop the charter accountability framework.

The purpose of the committee is outlined in the Compact:

Creating an accountability framework for continuous improvement and transformative educational practices; creating an annual, transparent and predictable oversight process that recognizes excellence and provides an early warning system for low-performing Charter Schools; establishing a framework for fast track renewal and/or replication of successful Charter Schools and voluntary closure or non-renewal of chronically underperforming Charter Schools to be used in the 2011-2012 school year (Compact, Page 4)

The committee will include charter leaders from both dependent and independent charter schools.

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### IV. Budget Implications

Even though a negative financial impact to the District cannot be used as criteria to deny a charter school petition, the potential loss of district students does reduce available revenue in General Fund.

The following are estimates based upon known information:

To estimate the Loss of Revenue Limit and Lottery Funds for 312 ADA for 2012-2013 school year, offset by a reduction in expenses for teachers and supplies, the potential reduction of funds to the district is approximately \$500,000.

These losses would be offset by any fees paid to the district, including (but not limited to) fees for use of facility. Also, one percent of the Charter School's state revenues would be paid to the district for oversight.

### V. Conclusion:

The revisions made to the Petition by SNTHS meet the requirements and recommendations of the District. Staff recommends that the Petition be approved for a five year term of renewal.

### VI. Next Steps:

- Upon board approval, District Staff will continue to monitor the development and implementation of Sacramento New Technology High School's goals and objectives set forth in the petition.

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 2694**

**RESOLUTION TO APPROVE THE PETITION TO RENEW THE CHARTER OF  
Sacramento New Technology High School**

WHEREAS, petitioners for Sacramento New Technology High School (“Petitioners”) submitted to Sacramento City Unified School District (“District”) a charter renewal petition (“Petition”), dated January 17, 2012, for the Sacramento New Technology High School (“SNTHS”); and

WHEREAS, following feedback from District staff, the Peition was revised and submitted (“Revised Petition”);

WHEREAS, the District’s Governing Board held a public hearing on February 2, 2012, as required by law and staff report and recommendation was held on March 1, 2012; and

WHEREAS, the Governing Board has considered the level of public support for SNTHS and has reviewed the Revised Petition and all information received with respect to the Revised Petition, including all supporting documentation; and

WHEREAS, in reviewing the Revised Petition, the Governing Board has been guided by the intent of the California Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged; and

WHEREAS, after analysis of the Petition and the related supplemental materials, the Superintendent and District staff have recommended approval of the Revised Petition.

NOW, THEREFORE, BE IT RESOLVED that the Sacramento City Unified School District Board of Education hereby approves the Revised Petition renew the Charter of Sacramento New Technology High School for another term.

BE IT FURTHER RESOLVED the term of the charter shall be for five (5) years, beginning on July 1, 2012 and expiring June 30, 2017.

**PASSED AND ADOPTED** by the Sacramento City Unified School District Board of Education on this 12th day of April, 2012, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

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Diana Rodriguez  
President of the Board of Education

ATTESTED TO:

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Jonathan Raymond  
Secretary of the Board of Education