



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 9.6

**Meeting Date:** March 1, 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 conference and take action to approve or deny the renewal petition of the Sacramento New Technology High School. Staff report will be 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 are being presented for Board Action on March 1, 2012.

**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

# Board of Education Executive Summary

## Accountability Office

Charter School Renewal Petition

March 1, 2012



### 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 received the first renewal 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 unless it makes written factual findings, specific to the particular petition, setting for 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,

# Board of Education Executive Summary

## Accountability Office

Charter School Renewal Petition

March 1, 2012

- 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.

Furthermore, the newly-adopted regulations allow for the automatic renewal of a charter school petition, if a school district fails to make 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 one of the standards for academic achievement as set forth in Education Code §47607. If one of those standards is met, the governing board must grant the renewal assuming that the renewal petition also complies with the standards and criteria of Education Code §47605 as discussed above. For example, pursuant to Education Code section 47607, subd. (b)(1), if the charter school attains its Academic Performance Index (API) growth target in the prior year or two of the last three years, it has met their standards for academic achievement under the statute. 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).

Another academic standard for a charter to obtain for renewal is if it ranked in deciles 4 to 10, inclusive, on the API for demographically comparable school (or similar school) in the prior year or in two of the last three years. (Education Code section 47607, subd. (b)(2).). SNTHS has met this standard. Its statewide API rank in 2011 is 4 and in 2010 is 8.

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

### 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.

# Board of Education Executive Summary

## Accountability Office

Charter School Renewal Petition

March 1, 2012

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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*

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, SNTH 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 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

# Board of Education Executive Summary

## Accountability Office

Charter School Renewal Petition

March 1, 2012

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:

- Assesses students annually;
- 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 annually of their student's progress.

(Revised Petition, page 7-8)

Also, SNTHS administers the Home Language Survey (HLS) for all students upon enrollment so that staffs know who the potential ELL students are and conducts the annual CELDT testing accordingly. 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 which 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).

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

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

## Board of Education Executive Summary

### Accountability Office

Charter School Renewal Petition

March 1, 2012

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*

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.

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*

This element of the charter did not describe sick/vacation leave ability to carry it over to and from 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.

# Board of Education Executive Summary

## Accountability Office

Charter School Renewal Petition

March 1, 2012

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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)

## 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. 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 lease 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.

## 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 RENEWAL OF THE CHARTER PETITION 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, the District’s Governing Board held a public hearing on February 2, 2012, as required by law; and

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

WHEREAS, in reviewing the 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 Petition.

NOW, THEREFORE, BE IT RESOLVED that the Sacramento City Unified School District Board of Education hereby approves the Petition.

BE IT FURTHER RESOLVED the term of the charter shall be for approximately 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 1<sup>st</sup> day of March, 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