Board Meeting
February 10, 2015
3:00 p.m. – Board Room (EC 100)

I. BOARD COMMITTEE MEETINGS (none)

II. PRELIMINARY ACTIVITIES – 3:00 p.m.
   Ms. Braude   A. Call to Order
   Mr. Boyd    B. Pledge of Allegiance
   Dr. Ybarra  C. Ordering of the Agenda

III. COMMUNICATIONS: BOARD OF EDUCATION / SUPERINTENDENT / PUBLIC

IV. PRESENTATIONS (none)

V. HEARINGS (none)

VI. REPORTS / STUDY TOPICS
   Ms. Benitez  A. Head Start-State Preschool Division Planning System

VII. CONSENT CALENDAR RECOMMENDATIONS (none)

VIII. RECOMMENDATIONS
   Ms. Benitez  A. Approval of Head Start-State Preschool Division Planning System
   Ms. Benitez  B. Staff Findings and County Board Action to Approve the Superintendent’s Recommendation to deny Renewal of the Charter for The Magnolia Science Academy-Bell Charter School, Grades 6-8: Appeal of a Non-Renewed Charter denied by the Los Angeles Unified School District Board of Education
   Ms. Benitez  C. Approve the Superintendent’s Recommendation to deny Renewal of the Charter for The New City School, Grades TK-8: Appeal of a Renewal Petition denied by the Long Beach Unified School District Board of Education

IX. INFORMATIONAL ITEMS
   Dr. Ybarra  A. Governmental Relations
   Ms. Braude  B. Board Committee / Liaison Reports
   Dr. Ybarra  C. Los Angeles County Board of Education Meeting Schedule, Establishment of Meeting Times, Future Agenda Items, Follow up

X. INTERDISTRICT AND EXPULSION APPEAL HEARINGS (none)

XI. ADJOURNMENT
Item VI. Reports / Study Topics

A. Head Start-State Preschool Division Planning System

The Los Angeles County Office of Education Head Start-State Preschool (LACOE HS-SP) Division implements a planning system as required by federal and state regulations. LACOE HS-SP has revised this system to meet new federal regulations (ACF-IM-HS-13-02). The major change is a shift from an indefinite three-year project period to a five-year period.

The planning system contains multiple processes that provide direction to LACOE HS-SP staff and delegate agencies. Information and feedback gathered through this system are used to assess and determine:

1. Needs and values of children and families in our service area
2. Organizational, program, and fiscal priorities
3. Accessibility of community resources
4. Effectiveness of program services to meet the needs of children and families
5. Internal and external changes needed to achieve optimal service delivery
6. Adjustments to planning direction and scope across the five-year project period
7. Opportunities for continuous improvement

The Policy Council was engaged in the process to develop and revise the planning system through the Planning and Development Committee. The committee reviewed the information and provided feedback.

The Head Start Director will present an overview of the planning system based on information included in the attached planning system report.

Ms. Yolanda Benitez, Chief Academic Officer, and Keesha Woods, Director, Head Start-State Preschool Division are available to answer questions.
The Planning System

Manual

Head Start-State Preschool Division

2014-19 Project Period
## CONTENTS

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INTRODUCTION

OVERVIEW

The Los Angeles County Office of Education Head Start-State Preschool Division (LACOE HS-SP) implements a planning system as required by federal and state regulations, and has revised this system to meet new federal regulations (ACF-IM-HS-13-02). The major change is a shift from an indefinite three-year project period to a five-year period.

The LACOE HS-SP planning system encompasses the following:

1. Defines the direction and allocation of resources developed around LACOE HS-SP’s *Four Pillars of Responsibility* (Planning, Resource Development and Collaboration, Ongoing Monitoring and Accountability, and Training and Technical Assistance). It facilitates efficiency, promotes effectiveness, and maintains or exceeds federal and state compliance.

2. A framework of processes and procedures that allows the coexistence of multi-year processes.

3. One of 10 management systems critical to moving LACOE HS-SP forward to achieve established goals across the five-year project period.

The planning system is shaped to support LACOE HS-SP’s philosophy, vision, and mission:

*Philosophy:* Los Angeles County Office of Education and the Head Start-State Preschool Division support school readiness and the attainment of child-focused outcomes that will enable children to succeed in school.

*Vision:* To be a model of quality service delivery for children and their families.

*Mission:* Serving Students, Supporting Communities, Leading Educators.

The planning system contains multiple processes that provide direction to LACOE HS-SP staff and delegate agencies (delegates). It involves oversight responsibility and shared decision-making of governing bodies [e.g., County Board of Education (County Board), County Superintendent, Policy Council], and administrative staff. Information and feedback gathered through this system are used to assess and determine:
- Needs and values of children and families in our service area
- Organizational, program, and fiscal priorities
- Accessibility of community resources
- Effectiveness of program services to meet the needs of children and families
- Internal and external changes needed to achieve optimal service delivery
- Adjustments to planning direction and scope across the five-year project period
- Opportunities for continuous improvement

The LACOE HS-SP planning system follows a seven-step cycle:

1. Gather community assessment data
2. Develop program and school readiness goals
3. Develop objectives and strategic and operational plans
4. Implement plans
5. Evaluate progress through ongoing monitoring
6. Respond with course adjustments
7. Evaluate progress through self-assessment

PURPOSE

This manual contains procedures, processes, and activities to effectively implement the planning system at the LACOE HS-SP and delegate levels. It is organized into three key sections:

1. Multi-year planning system overview of key activities in the five-year project period.
2. Summary of the management systems and how those are related to the planning system.
3. Description of the seven steps in the planning cycle.
FIVE-YEAR PROJECT PERIOD

The Office of Head Start (OHS) will evaluate the quality of each grantee (ACF-IM-HS-13-02) in the first three years of the project period and inform the grant recipient in the fourth year if a five-year non-competitive grant will be issued, or if the grant recipient must compete for funding. In the fifth year, the grant recipient will transition to a new grant or close out.

To align with the five-year project period, LACOE HS-SP revised the planning system to incorporate improved oversight and increased communication with OHS, County Board, Superintendent, Policy Council, staff, and delegates. In addition, ongoing data analysis activities were modified to better inform decisions that address program and staff needs across the LACOE HS-SP Four Pillars of Responsibility.

The table below provides an overview of OHS monitoring activities and LACOE HS-SP and delegate activities to carry out quality programs for the new five-year project period.
Table 1. OHS Five-Year Comprehensive Monitoring Process and LACOE HS-SP Activities

<table>
<thead>
<tr>
<th>Years 1-2</th>
<th>Years 2-3</th>
<th>Year 4</th>
<th>Year 5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OHS Monitoring Visit:</strong></td>
<td><strong>OHS Monitoring Visit:</strong></td>
<td><strong>OHS Monitoring Visit:</strong></td>
<td><strong>OHS Monitoring Visit:</strong></td>
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<tr>
<td>Environmental health and</td>
<td>Systems:</td>
<td>Evaluation</td>
<td>None</td>
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<tr>
<td>safety</td>
<td>• Governance</td>
<td>Integrate years 1-3</td>
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<tr>
<td></td>
<td>• Fiscal</td>
<td>monitoring activities</td>
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<td></td>
<td>• ERSEA</td>
<td>Decision for continued</td>
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<td></td>
<td>• Comprehensive Services</td>
<td>funding</td>
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<td></td>
<td>and School Readiness</td>
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<tr>
<td>**LACOE HS-SP &amp; Delegate</td>
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<tr>
<td>Activities:**</td>
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<tr>
<td>• Implement plan</td>
<td>• Continue collecting</td>
<td>• Provide evidence of</td>
<td>• Plan and prepare for</td>
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<tr>
<td>(funding application)</td>
<td>ongoing monitoring and</td>
<td>cumulative impact on</td>
<td>new five-year project</td>
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<td></td>
<td>program data</td>
<td>children, families, and</td>
<td>period</td>
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<td></td>
<td>• Work on goals</td>
<td>communities served</td>
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<td>• Refine and adjust</td>
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<td>plans according to</td>
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<td>OHS review</td>
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<td>• Be ready for OHS</td>
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<td>monitoring; announced</td>
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<td>or unannounced</td>
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<td></td>
<td>•Complete health and</td>
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<td>safe facility reviews</td>
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<td>for all sites and</td>
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<td>classrooms</td>
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<td>• Complete all post-award</td>
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<td>Leadership Capacity</td>
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<td>progress meetings</td>
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<td>with OHS regional staff</td>
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<td>• Audit webinar</td>
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<td></td>
<td>• Prepare for years 2-3</td>
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<td>review</td>
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CONNECTION TO MANAGEMENT SYSTEMS

This section describes all management systems and how they relate to the planning system. Together these systems create the framework to effectively manage programs; provide oversight and support to delegates; and deliver quality services to children and families. Following is a description of each system and its connection to the planning system.

Diagram 1. Management Systems

PROGRAM GOVERNANCE

Effective planning is realized with the ongoing involvement of governing bodies and other key stakeholders that assist LACOE HS-SP with aligning resources to accomplish established goals. The LACOE HS-SP governing body consists of the County Board, Superintendent, and Policy Council. The governing body for delegates consists of the Board of Directors/Board of Education and Policy Committee. These governing bodies share responsibility for overseeing the delivery of high quality services and annually reviewing and approving the planning
procedures (45 CFR 1304.50(d)(1)(iii)). Diagram 1 illustrates how LACOE HS-SP governing bodies contribute to the planning process. Diagram 2 illustrates how governing bodies at the delegate level contribute to the process.

Diagram 1. Collaborative Planning Process – Los Angeles County Office of Education

**County Board and Superintendent**
- **Review and approve:** Planning system, Community assessment, Program and school readiness goals, Strategic plan (i.e., funding application), Key operational plans (e.g., self-assessment, Program improvement plan)

**Division Director**
- **Responsibility:**
  - Execute systematic planning
  - Conduct community assessment
  - Implement strategic & operational plans
  - Evaluate progress
  - Conduct ongoing monitoring
  - Provide training and technical assistance
  - Conduct self-assessment
  - Develop and achieve program and school readiness goals

**Policy Council**
- **Review and approve:** Planning system, Community assessment, Program and school readiness goals, Strategic plan (i.e., funding application), Key operational plans (e.g., self-assessment, program improvement plan)

**Program Decisions**
COMMUNICATION

To ensure that delegate-level planning aligns with LACOE HS-SP planning, ongoing communication occurs during each program year through: directors’ meetings; planning and funding trainings; grantee instructional memos (GIM); LACOE informational memos (LIM; LACOE HS-SP delegate contracts; and this manual. Delegate staff are informed in quarterly
coordinators’ meetings and trainings. The communication system supports the implementation of quality services by regularly delivering program information. Communication allows individuals to become fully vested in program activities and group decision-making. Communication involves governing bodies, parents, policy groups, community partners, delegates, and LACOE HS-SP.

ONGOING MONITORING

LACOE HS-SP determines the progress of planned activities through the ongoing monitoring system (See Ongoing Monitoring System Manual). Ongoing monitoring is a continuous process across the planning cycle. It evaluates federal and state regulatory compliance, progress with goals and objectives, and quality of service delivery. Results and program data are used to ascertain whether to continue or adjust the planned course of action.

SELF-ASSESSMENT

The self-assessment system identifies LACOE HS-SP and delegate accomplishments, strengths, and challenges related to federal and state mandates as well as with progress meeting program goals. The information is critical to making program planning decisions that best support continuous quality improvement of Head Start programs. It is an integral step in the planning cycle (See Diagram 3).

HUMAN RESOURCES

The human resources system provides ongoing professional development to maintain and grow the knowledge and skills of well-qualified staff. It ensures qualified staff are hired to carry out planned activities that support quality services for children and families.

FACILITIES, MATERIALS, EQUIPMENT, TRANSPORTATION, AND TECHNOLOGY

The facilities, materials, equipment, transportation, and technology system ensures these important infrastructures support program operations to fully implement the strategic plan. These infrastructures are modified, replaced, and/or improved based on data gathered through ongoing monitoring and the annual self-assessment.

FISCAL

The fiscal management system provides ongoing administrative and operational support and monitoring for the effective use of financial resources and generation of non-federal share needed to implement the strategic plan. Progress to fully spend and comply with federal, state
and local requirements is evaluated through the ongoing monitoring and self-assessment steps of the planning cycle.

ELIGIBILITY, RECRUITMENT, SELECTION, ENROLLMENT, AND ATTENDANCE (ERSEA)

The ERSEA system allows LACOE HS-SP to strategically allocate resources, as indicated in the strategic plan (e.g., slots, facilities), according to defined service areas to ensure effective program access for children and families. Through the steps in the planning cycle, compliance is assessed and adjustments are made as needed to ensure eligible children most in need of services are enrolled.

RECORD KEEPING AND REPORTING

LACOE HS-SP uses data to develop, evaluate, revise, or continue the direction and scope of planned activities, and to monitor the quality and delivery of services. In order to collect information efficiently and timely from its delegates, LACOE HS-SP implements a standardized record-keeping and reporting system. This system incorporates the use of ChildPlus, standard forms, curriculum and assessments tools, and other tools to collect data about service delivery, management systems, program operations, and children and families. All LACOE HS-SP monitoring and technical assistance activities for delegates are recorded and reported in the monitoring and reporting system (MARS).

THE PLANNING CYCLE

This section provides an overview of LACOE HS-SP’s seven-step planning cycle. LACOE HS-SP uses an integrated and cyclical planning process to ensure that ongoing adjustments and fine-tuning of approaches, processes, and planned activities are realized and implemented (See Appendix A. Planning Cycle at a Glance for common activities and timeframes).

LACOE HS-SP planning follows a seven-step cycle (See Diagram 3):

1. Gather community assessment data
2. Develop program and school readiness goals
3. Develop objectives, strategic and operational plans
4. Implement plans
5. Evaluate progress through ongoing monitoring
6. Respond with course adjustments
7. Evaluate progress through self-assessment
1. GATHER COMMUNITY ASSESSMENT DATA

The community assessment (CA) is a fundamental planning component that provides an environmental scan of the community and resources necessary to successfully implement Head Start (HS) and Early Head Start (EHS) programs. The CA details the demographic makeup and needs of HS and EHS-eligible children and families and those currently receiving services. It also contains agency profiles and information about other child care providers. Service needs in education, facilities, family and community, health and nutrition, mental health, and disabilities are reviewed and analyzed for this population. LACOE HS-SP aggregates data across each of the
five regions in its service area. The regional approach enables LACOE HS-SP to focus monitoring, resource development, and training to meet the specific needs of individual and/or groups of delegates.

Community assessment findings are used to determine changes specific to:

- Multi-year (long-range) program goals and short-term program objectives
- Needed services and program options to be implemented
- Recruitment areas to be served by each agency
- Appropriate locations for centers and areas to be served by home-based programs
- Criteria to determine priority for recruitment and selection of children and families.

LACOE HS-SP will complete a comprehensive CA in years one and four of the five-year project period with updates in years two, three, and five. Delegates are required to use the LACOE HS-SP community assessment for planning. Delegates may supplement the information with delegate-specific data, including results from self-assessments, monitoring, child assessments, and the program information report (PIR).

2. DEVELOP PROGRAM AND SCHOOL READINESS GOALS

Program and school readiness goals are based on program data analysis, results of community and self-assessments, and relevant research. Program goals are broad statements that support the LACOE HS-SP mission to serve children, families, and communities in its service area. School readiness goals are a subset of overall program goals and focus on child development and early learning outcomes in five essential domains: 1) language and literacy, 2) cognition and general knowledge, 3) approaches to learning, 4) physical development and health, and 5) social-emotional development. These goals are adopted by LACOE HS-SP and delegates, and remain unchanged unless data indicate drastic changes are needed during the five-year project period. To accomplish these common goals, LACOE HS-SP and delegates establish measureable objectives that may be modified or changed based on the ongoing evaluation of data.

3. DEVELOP OBJECTIVES, STRATEGIC, AND OPERATIONAL PLANS

Objectives

LACOE HS-SP develops measureable objectives to achieve program and school readiness goals. These program objectives are: Specific, Measurable, Attainable, Relevant, and Timely components of goals or SMART. Objectives are developed at the beginning of each program year with regular progress updates provided in the program year.
Strategic Plan

LACOE HS-SP uses two types of plans, strategic and operational, to achieve program and school readiness goals. The strategic plan (i.e., funding application) is developed first to facilitate efficiency, promote effectiveness, and maintain or exceed federal and state compliance. It details:

- The direction and allocation of resources identified in budget, and training and technical assistance plans
- Strategies to address program and school readiness goals
- Mandated trainings
- Program quality improvement needs
- Program enhancement
- The delivery of program services in response to community needs and all applicable regulations

Delegates mirror this strategic plan by adhering to the expectations LACOE HS-SP identifies in the funding application instructions. The strategic plan is updated yearly, reviewed and approved by the governing bodies at LACOE HS-SP (i.e., County Board, Superintendent, and Policy Council) and the delegates (i.e., Board of Directors/Board of Education and Policy Committee) and submitted to OHS for approval.

Operational Plans

The strategic plan (what we are going to do) is put into action through a second set of plans; operational plans (how we are going to do it). An operational plan is a roadmap that details the actions, timetables, human and material resources, benchmarks, and monitoring activities that will be implemented to carry out the strategic plan. Operational plans are revised, updated, or remain unchanged based on the analysis of program data and ongoing monitoring results. Chart 1 illustrates LACOE HS-SP’s operational plans and the focus of each one.
<table>
<thead>
<tr>
<th>Plan Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Assessment Plan</td>
<td>Details LACOE HS-SP and delegate responsibilities to develop an integrated community assessment</td>
</tr>
<tr>
<td>Self-Assessment Plan</td>
<td>Details roles, responsibilities, and expectations to complete the annual self-assessment</td>
</tr>
<tr>
<td>Sel-Assessment Program Improvement Plan</td>
<td>Identifies areas of improvement based on self-assessment results</td>
</tr>
<tr>
<td>Division Plan</td>
<td>Identifies and tracks progress toward achieving program goals by reporting on the status of completing measurable objectives</td>
</tr>
<tr>
<td>School Readiness Plan</td>
<td>Details activities and expectations to meet school readiness goals</td>
</tr>
<tr>
<td>Written Plan</td>
<td>Identifies policies and procedures (SOPs, GIMs, &amp; LIMs) to comply with federal, state, and contractual mandates</td>
</tr>
<tr>
<td>Delegate Contract</td>
<td>Details legal requirements for each delegate, including service area assignments and facility locations</td>
</tr>
<tr>
<td>Ongoing Monitoring System Manual</td>
<td>Details ongoing monitoring process, including three-tiered monitoring and timeline</td>
</tr>
<tr>
<td>ERSEA Manual</td>
<td>Identifies processes aligned with criteria to prioritize recruitment and selection of children and families</td>
</tr>
<tr>
<td>State Programs Manual</td>
<td>Details processes to meet California Department of Education requirements for state programs</td>
</tr>
<tr>
<td>Geographical Service Area</td>
<td>Outlines geographic service area for LACOE HS-SP and areas assigned to each delegate</td>
</tr>
<tr>
<td>Staff Work Plans</td>
<td>Outline individual goals and focus areas for each staff person (PPAS/PMET/Staff Evaluations)</td>
</tr>
<tr>
<td>Unit Work Plan</td>
<td>Details activities and projects developed by individual units that align to program goals as it is a step in developing the Division Plan</td>
</tr>
</tbody>
</table>
4. IMPLEMENT PLANS

As strategic and operational plans are put into action, LACOE HS-SP collects data through the record-keeping and reporting system. LACOE HS-SP and its delegates use the data to develop, evaluate, revise, or continue the direction and scope of planned activities to ensure the delivery of quality program services.

5. EVALUATE PROGRESS THROUGH ONGOING MONITORING

Results from ongoing monitoring activities are used to evaluate progress and determine: 1) whether to continue or revise an established plan; 2) changes to program activities; 3) changes in effort/resource focus; and 4) timeliness of activities.

LACOE HS-SP’s ongoing monitoring system is grounded in a three-tiered, integrated approach described in detail in the Ongoing Monitoring System Manual. Following is a brief overview of the three-tiered monitoring approach:

Chart 2. Three-Tiered Monitoring Approach

**Tier 1**
- Delegate monitors internal systems/procedures (e.g., all program services, management systems, sites, and classrooms).
- Question answered by Tier 1: *How is the delegate monitoring implementation of its procedures that support the LACOE HS-SP planning system?*

**Tier 2**
- LACOE HS-SP monitors delegate systems/procedures (e.g., management systems, service delivery, and federal, state, and contractual compliance).
- Question answered by Tier 2: *How is LACOE HS-SP monitoring delegate’s implementation of processes as related to the planning system?*

**Tier 3**
- LACOE HS-SP monitors internal systems/procedures (e.g., program operations and processes to ensure federal/state compliance and achievement of program goals).
- Question answered by Tier 3: *How is LACOE HS-SP self-monitoring standard operating procedures in regard to implementing the planning system?*
An essential part of Tier 2 monitoring is the individual agency planning (IAP) process. LACOE HS-SP established the IAP to ensure a holistic review of each agency throughout the program year. The IAP is a multidisciplinary team approach that focuses on periodic discussion and review of each delegate’s program data and monitoring findings (see Appendix B Planning System SOP). The results allow LACOE HS-SP to plan the level of support needed to assist delegates with maintaining program and fiscal health.

Using results from program and monitoring data, LACOE HS-SP assigns delegates to one of three tracks. Incremental changes may occur in the program year based on a delegate’s ability to maintain system compliance. The three tracks are briefly described in Diagram 4 below and described in detail in the Ongoing Monitoring System Manual:

Diagram 4. Delegate Monitoring Tracks

6. RESPOND WITH COURSE ADJUSTMENTS

Program data are examined throughout the program year in conjunction with ongoing monitoring results. Trends and patterns identified are discussed in IAP and Strategic Leadership Team (SLT) meetings to determine whether to revise or maintain planned activities and strategies.

The implementation of planned activities; evaluation of progress through ongoing monitoring; and determination of course adjustments are discussed more frequently for some plans than others; dependent on data collected during the program year. For example, program data and agency monitoring results are examined and discussed monthly during IAP meetings, which leads to the determination by the team to either revise or maintain the monitoring level. On the other hand, course adjustments may occur less frequently to the school readiness plan, as those coincide with availability of child and classroom data results (collected and analyzed three times in the program year).
7. EVALUATE PROGRESS THROUGH SELF-ASSESSMENT

A self-assessment (SA) is completed annually to assess effectiveness and progress with meeting goals and complying with federal and state regulations (e.g., Head Start Performance Standards and the Head Start Act). The SA provides a snapshot of LACOE HS-SP and delegate accomplishments, strengths, and areas for improvement. LACOE HS-SP develops the SA using an integrated approach across management systems and delegate self-assessment results. This review and analysis of program data provide the opportunity to critically examine the direction and impact of program decisions and planned activities, and the effectiveness of human and financial resources employed to achieve program goals. Based on results from the SA, LACOE HS-SP and its delegates may develop program improvement plans to address challenges with compliance or the effectiveness of processes and procedures. In essence, ongoing monitoring answers the question, “Are we doing things right and on time?” Whereas the annual self-assessment answers, “Are we doing the right things?”

SUMMARY

In summary, the cyclical planning approach allows for the integration of data to develop, monitor, and evaluate planned activities and processes. It links key management systems to a predictable process, makes a clear distinction between ongoing monitoring and self-assessment, and integrates them into the overall planning cycle. Further, it makes apparent the inter-relatedness of the strategic and operational plans developed to carry out requirements and expectations for each program year. Finally, data-driven decisions are based on the results of this process to ensure compliance with federal and state mandates and plans to achieve program and school readiness goals.
APPENDICES

APPENDIX A - PLANNING CYCLE AT A GLANCE

The following table summarizes common activities and time frames for each step of the planning cycle for the 2014-19 project period. It includes activities to be completed and identifies preparatory activities from the prior year (2013-14). The table also contains post-award and OHS requirements.

<table>
<thead>
<tr>
<th>Actions</th>
<th>LACOE HS-SP Responsibility:</th>
<th>Delegate Responsibility:</th>
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<tbody>
<tr>
<td></td>
<td>Month</td>
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<tr>
<td>Community Assessment (CA)</td>
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<tr>
<td>Develop/revise delegate CA survey</td>
<td>January</td>
<td>✓</td>
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<tr>
<td>Complete delegate CA survey</td>
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Los Angeles County Office of Education
Head Start-State Preschool Division

The Planning System - Procedures
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<td>c. School readiness goals</td>
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<td>e. T&amp;TA plan</td>
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<td>Develop Objectives and Operational Plans</td>
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<td>Evaluate through Self-Assessment</td>
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<td>Health and Safety Environment Screener</td>
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<td>Audit Webinar</td>
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<td>Environmental Health and Safety Review ***Includes all review visits</td>
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<td>Management Systems: Governance, Fiscal, ERSEA</td>
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Los Angeles County Office of Education  The Planning System - Procedures
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<td>Non-monitoring year</td>
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*Note. Dates and activities may change as necessary.
APPENDIX B – STANDARD OPERATING PROCEDURES TO DETERMINE DELEGATE COMPLIANCE WITH THE PLANNING SYSTEM

REVIEW AND VALIDATION OF IMPLEMENTED PLANS

The Delegate Liaison Team Leader (DLTL) coordinates monitoring and determines the compliance of a delegate’s planning system. With feedback from the IAP team, the DLTL uses the Program Design and Management Systems Ongoing Monitoring Guide for Program Planning tool. This tool captures compliance/noncompliance results related to a delegate’s planning system. It is used to document monitoring activities from various modes of inquiry to validate delegate implementation of a systemic, ongoing program planning process in collaboration with:

- Board of Directors/Board of Education
- Policy Committee (PC)
- Agency staff
- Community organizations that serve low-income families with children (e.g., MOUs)

Planning system compliance is determined at different points during the program year (see Ongoing Monitoring System Manual for schedule). It is based on review, implementation, and validation of the following:

1. Strategic plan (i.e., funding application)
2. Operational plans /delegate submissions

To assess compliance of a delegate’s planning system, DLTLS:

- Use staff tracking updates to follow up with delegates to ensure timely submission of required documents, as necessary.
- Review IAP team monitoring reports, desk reviews, and on-site monitoring reviews.
- Coordinate the review of the written plan and all supporting policies and procedures.
- Provide delegates with written feedback using the Summary of Monitoring Report.
- Review and include various planning system components (e.g., written plan, funding application) on the IAP agenda.

DELEGATE STRATEGIC PLAN: FUNDING APPLICATION

The funding application is a delegate’s strategic plan that is developed in each year of the five-year project period. It is annually reviewed and approved by each delegate’s Policy Committee.
and Board of Directors/Board of Education. Information from each delegate is folded into the LACOE HS-SP funding application, which becomes the strategic plan that is submitted annually to OHS (see the Funding Application Manual).

DELEGATE OPERATIONAL PLANS/DELEGATE SUBMISSIONS

Delegates develop and/or revise operational plans and submissions (i.e., other required documents) annually. Operational plans are provided to a delegate’s Policy Committee and Board of Directors/Board of Education; reviewed and approved annually by the Policy Committee; and revised as needed. Delegates submit required operational plans and submissions to LACOE HS-SP by the due date specified in the LACOE HS-SP Delegate Contract, Exhibit E. Examples of required operational plans and delegate submissions include the following (See Exhibit E of LACOE HS-SP contract for a detailed list and due dates; see GIMs that relate to each plan for details):

- **Operational Plans**
  - Written plan
  - Disabilities services plan
  - School readiness plan
  - Self-assessment plan
  - Emergency preparedness plan
  - Contingency and catastrophic plan
  - ERSEA Plan

- **Delegate Submissions**
  - Self-assessment tools and documents
  - Staff and Consultant Qualification Verification Form
  - Board and Policy Committee minutes (see Governance GIM for details)

The Program Development and Effectiveness (PDE) Program Development Assistant, tracks and files all electronic submissions (except for funding applications and delegate Board and Policy Committee minutes) and provides DLTLs and related grantee staff with periodic status updates on delegate submissions (See Exhibit E for required documents and due dates).

The Planning and Resources Development (PRD) Program Development Assistant tracks and files all annual funding applications submitted by the delegates via hs_doc_submission@lacoe.edu and provides the funding team and administration with periodic status updates on agency submissions. The PDE Division Secretary tracks and files all Board and Policy Committee minutes submitted by the delegates via hs_gov@lacoe.edu and provides DLTLs with periodic updates on the status of agency submissions.
The IAP Monitoring Staff and Fiscal Liaisons:

- Review written plan, policies and procedures, system and service area plans, and other delegate submissions.

- Conduct follow up and provide training and technical assistance (as needed).

- Review assessment data, and validate implementation of policies and procedures for services to assess compliance with Head Start Performance Standards, local mandates, and GIM requirements (See SOPs and GIMs for specific details).

- Use content area expertise to provide feedback to assigned DLTL.

- Review and provide feedback to DLTL on entire funding application to ensure integration of required components (e.g., community assessment data, alignment of agency objectives to program goals, program options, program summary, fiscal justification, and fiscal schedules).
Item VIII. Recommendations

A. Approval of Head Start-State Preschool Division Planning System

The Superintendent is requesting that the County Board of Education agree with his recommendation to approve the Head Start-State Preschool (HS-SP) Division’s Planning System as required by federal regulation.

The Los Angeles County Office of Education (LACOE) HS-SP planning system encompasses the following:

1. Defines the direction and allocation of resources developed around LACOE HS-SP’s Four Pillars of Responsibility (Planning, Resource Development and Collaboration, Ongoing Monitoring and Accountability, and Training and Technical Assistance). It facilitates efficiency, promotes effectiveness, and maintains or exceeds federal and state compliance.

2. A framework of processes and procedures that allows the coexistence of multi-year processes.

3. One of 10 management systems critical to moving LACOE HS-SP forward to achieve established goals across the five-year project period.

Ms. Yolanda Benitez, Chief Academic Officer, and Keesha Woods, Head Start-State Preschool Division Director, are available to answer questions.
Board Meeting – February 10, 2015

Item VIII. Recommendations

B. Staff Findings and County Board Action to Approve the Superintendent’s Recommendation to deny Renewal of the Charter for The Magnolia Science Academy-Bell Charter School, Grades 6-8: Appeal of a Non-Renewed Charter denied by the Los Angeles Unified School District Board of Education

The Magnolia Science Academy Bell (MSA-Bell) renewal petition is presented to the Los Angeles County Board of Education (County Board) pursuant to Education Code (EC) sections 47605 and 47607. Upon denial by Los Angeles Unified School District Board of Education, the petitioner exercised the statutory right of appeal to the County Board.

The Superintendent recommends that the County Board adopt the written findings of fact stated below and take action to deny the renewal petition for the Magnolia Science Academy-Bell (MSA-Bell).

Charter renewal is governed by EC sections 47607, 47605 and California Code of Regulations Title 5 (5 CCR) sections 11966.4 and 11966.5.

The Superintendent’s Recommendation to deny MSA-Bell is based on EC sections 47607(a)(3)(A) and 47605(b) and 5 CCR section 11966.5(c) as follows:

**EC 47607(a)(3)(A)** states: The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.

**EC 47607(b)** states that to be eligible for renewal, a charter school must meet one (1) of the following five (5) criteria:

1. **Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the charter school.**
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. **(A) 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. (Emphasis added)

(5) Qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052.

5 CCR 11966.5(c)(1-2) provides the considerations and criteria to be used by a county board for making a determination as to whether to renew a charter:

(1) When considering a petition for renewal, the county board of education shall consider the past performance of the school’s academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement, if any.

(2) The county board of education may deny a petition for renewal of a charter school only if the county board makes written factual findings, specific to the particular petition, setting forth facts to support one or more of the grounds for denial set forth, as applicable, in EC 47605(b) or failure to meet one of the criteria set forth in EC section 47607(b).

EC 47607(a)(2) states that renewals of charters are governed by the standards and criteria in 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

EC 47605(b) requires a school district governing board to be guided by the intent of the legislature that charter schools should become an integral part of the education system and that a charter be granted if the governing board is satisfied that granting the charter is consistent with sound educational practice.

EC 47605(b) further states that a governing board may only deny a petition if it provides written factual findings specific to the petition that supports one or more of the following findings:

(1) The charter school presents an unsound educational program.

(2) The petitioners are demonstrably unlikely to successfully implement the program.

(3) The petition does not contain the required number of signatures. (Not applicable to a renewal petition)

(4) The petition does not contain an affirmation of specified assurances.
(5) The petition does not contain reasonably comprehensive descriptions of 16 required elements of a charter.

The County Board shall evaluate the petition according to the criteria and procedures established in law and may only deny the petition if it provides written findings addressing the reasons for the denial.

Pursuant to EC 47607(a)(3)(A), the LAUSD Board considered increases in pupil academic achievement for all groups of pupils served by the MSA-Bell as the most important factor in determining whether to grant its renewal and determined that “the cumulative gravity of the Charter Management Organization’s (Magnolia Educational Research Foundation [MERF] operational and fiscal deficiencies and significant failures in governance thereto nonetheless substantially outweighs the extra consideration provided by SB 1290.” (LAUSD Board Report dated November 18, 2014)

Findings of Fact Regarding the Superintendent’s Recommendation to Deny MSA-Bell

The County Board evaluated the past performance of MSA-Bell, its operating entity, MERF and the renewal petition according to the criteria and procedures established in EC 47605(b) and 47607(b) and made the following findings of fact for denial:

Finding 2: The petition provides an unsound educational program for students to be enrolled in the school. [EC 47605(b)(1)]

Finding 3: The petitioners are demonstrably unlikely to successfully implement the proposed educational program. [EC 47605(b)(2)]

Finding 5: The petition does not contain a reasonably comprehensive description of all required elements. [EC 47605(b)(5)(A)-(P)]

The recommendation for denial is based on the written findings of fact contained in the complete report on the Magnolia Science Academy-Bell petition, which is attached here.

A summary of key findings is presented through the table on the following page.

LACOE staff will present the report and recommendation to the County Board.
### Magnolia Science Academy Bell
Petition for Renewal Received on Appeal

**EC 47607(b):** Failure to meet at least one of the academic performance criteria for renewal is grounds for denial.

| Finding 1 | The school provided evidence it met one of the statutory criteria for renewal | Yes |

**EC 47605(b):** Failure to meet the requirements under Findings 2-5 is grounds for denial.

| Finding 2 | Sound Educational Practice | No |
| Finding 3 | Ability to Successfully Implement Intended Program | No |
| Finding 4 | Affirmation of Specified Conditions | Yes |

| Finding 5 | Reasonably Comprehensive Description of all Required Elements | No |

#### Required Elements

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<tr>
<td>1</td>
<td>Description of Educational Program</td>
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<tr>
<td>2</td>
<td>Measureable Pupil Outcomes</td>
</tr>
<tr>
<td>3</td>
<td>Method for Measuring Pupil Progress</td>
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<tr>
<td>4</td>
<td>Governance Structure</td>
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<td>5</td>
<td>Employee Qualifications</td>
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<td>6</td>
<td>Health and Safety Procedures</td>
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<td>7</td>
<td>Racial and Ethnic Balance</td>
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<td>8</td>
<td>Admission Requirements</td>
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<td>Annual Independent Financial Audits</td>
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<td>Suspension and Expulsion Procedures</td>
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<td>Retirement Coverage</td>
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<td>Exclusive Public School Employer</td>
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<td>Closure Procedures</td>
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**Finding 6:** The charter petition meets the additional statutory requirements EC 47605 (c), (e), (f), (g), (h), (l) and (m).

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<td>Standards, Assessments and Parent Consultation</td>
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<td>(e)</td>
<td>Employment is Voluntary</td>
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<td>(f)</td>
<td>Pupil Attendance is Voluntary</td>
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<td>(g)</td>
<td>Effect on Authorizer and Financial Projections Facilities, Administrative Services, Civil Liability and Financial Statements</td>
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<tr>
<td>(h)</td>
<td>Targets Academically Low Achieving Pupils**</td>
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<td>(l)</td>
<td>Teacher Credentialing</td>
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<tr>
<td>(m)</td>
<td>Transmission of Audit Report</td>
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*Elements marked as meeting requirements may need further explanation, adjustment or technical changes; however, they are reasonably comprehensive and/or substantively comply with regulatory guidance and the LACOE standard of review described in Board Policy and the Superintendent’s Administrative Regulations.

**Charters created to target academically low achieving pupils are given a priority for authorization.

^There are indicators of potential civil liability effects upon the authorizer.
Background Information

The petition for Magnolia Science Academy-Bell (MSA-Bell or MSA 8) is to renew the charter for a 6-8 school. The school is located at 6411 Orchard Avenue, Bell, California, within the geographic boundaries of the Los Angeles Unified School District (LAUSD).

The school was originally authorized by the Los Angeles Unified School District’s Board of Education (LAUSD Board) in June 2010 and began operation in fall 2010. The LAUSD Board denied renewal on November 18, 2014, based on written findings of fact.

MSA-Bell, also known as MSA 8, is one (1) of 11 schools operated by the Charter Management Organization, Magnolia Educational and Research Foundation (MERF), doing business as Magnolia Public Schools (MPS). MSA-Bell is not its own corporate entity, but is a subsidiary of MERF. Therefore, the affairs and conditions of MERF are subject to the review process.

MPS schools are located throughout California: eight (8) within LAUSD; one (1) in San Diego (authorized by San Diego Unified School District); one in Santa Clara (authorized by Santa Clara County Office of Education); and one (1) in Santa Ana (authorized by the State Board of Education). MERF had two (2) additional schools, Magnolia Science Academy-San Diego 2 and Pacific Technology School Orangevale, which have closed (further details regarding these schools are included under Finding 3 of this report).

The LAUSD Board previously denied the renewals of Magnolia Science Academy 6 and Magnolia Science Academy 7 (MSA 6 & MSA 7), citing fiscal and operational deficiencies, as well as governance concerns. These schools remain in operation due to a preliminary injunction issued by the Court (Magnolia Educational Research Foundation v. LAUSD).

The educational program at MSA-Bell relies heavily on the curriculum, support and services it receives from the Accord Institute for Education Research (Accord). On Monday, February 2, 2015, the Los Angeles County Office of Education (LACOE) received a copy of a letter from MERF’s Chief Executive Officer (CEO) to Accord. The letter (Appendix 1) notifies Accord that MERF and “subsidiary charter schools” will not be renewing the service contract for the 2015-16 school year. It states, “our organization will cease to use Accord services effective July 1, 2015.”

MERF’s CEO informed the Charter School Office on February 4, 2015, that this action was taken in an effort to resolve the pending lawsuit between MERF and LAUSD. **The LAUSD Board did not have the opportunity to consider this information at the time it denied MSA-Bell’s renewal petition on November 18, 2014.**

Cancellation of the Accord contract calls into question how administrative and educational support services currently provided by Accord, and described in the renewal petition, would affect the described operational and educational program due to the significant reliance on Accord as stated by the school’s Board and Leadership Team.
At the Capacity Interview, MERF’s Board President described Accord services as “really critical” and stated MSA 6 and 7 are still receiving Accord services “to not let the schools collapse academically.” Without information on how, or if, these “critical” services will be provided in the future, the petition presents an unrealistic... operational plan.

The Principal stated they “rely on Accord” for the “distinctive features” of the school from curriculum to Professional Development. Educational support services received from Accord are central to the school’s educational program as described throughout Element 1 of the petition. Key components of the school’s educational program provided by Accord are identified in the petition as follows:

- Get ready for Life (GRFL) (pages 42, 54, 55, 73)
- College Mentoring and Leadership (pages 43, 55, 56)
- A+ (Advanced) STEM (pages 42, 46, 47, 57, 72, 96)
- Technology Integrated Education (TIE) and computer science courses (pages 42, 51-53, 75-77)
- Common Core curriculum alignment and professional development (pages 42, 59, 86-88)
- Program accountability and evaluation (page 42)
- Leadership development and training (pages 42, 87-88)

Without these supports and services, or information on how these services will be provided without Accord, there are serious concerns about the school’s ability to implement the educational program specified in the petition.

Cancellation of the contract materially changes aspects of the petition considered by the LAUSD Board, including several required elements, to such an extent that the petition would not be the same as that considered by the LAUSD Board.

MERF is asking the County Board to consider remedies that were not available to the District; the CEO further stated that should the remedies be unsuccessful or not permanent, the County Board could revoke the school’s charter.

The following review is of the renewal petition as submitted by MSA-Bell to the County Board and as denied by the LAUSD Board.

Mission and Vision: All schools managed by MPS share the same mission and vision; “MPS provides a college preparatory educational program emphasizing science, technology, engineering, and math (STEM) in a safe environment that cultivates respect for self and others.”

The vision is “Graduates of Magnolia Public Schools (MPS) are scientific thinkers who contribute to the global community as socially responsible and educated members of society.”

Students Served by the School: The petition states, “The Charter School recruits students from all areas of LAUSD, predominantly from the attendance areas of designated overcrowded campuses, with a goal of creating an economically and ethnically diverse student population.”

The current enrollment of MSA-Bell is approximately 495 students, and the school reports its 2013-14 demographics as follows: 97% Hispanic; 3% White; 94% Free and Reduced Price Lunch Eligible (Low Income); 18% English Learners (ELs); and 9% Students with Disabilities.

The California Department of Education (CDE) reports enrollment by demographic category for MSA-Bell and LAUSD for 2013-14 as presented in the table that follows:
2013-14 Demographic Composition of MSA-Bell and LAUSD

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<tr>
<th>Demographic Category</th>
<th>MSA-Bell</th>
<th>LAUSD</th>
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<tbody>
<tr>
<td>Black or African American, Not Hispanic</td>
<td>0%</td>
<td>9%</td>
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<tr>
<td>American Indian or Alaska Native, Asian, Pacific Islander &amp; Filipino, Not Hispanic</td>
<td>0%</td>
<td>0%</td>
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<tr>
<td>Hispanic or Latino of Any Race</td>
<td>97%</td>
<td>74%</td>
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<tr>
<td>White, Not Hispanic</td>
<td>3%</td>
<td>9%</td>
</tr>
<tr>
<td>Two or More Races, Not Hispanic</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Socioeconomically Disadvantaged</td>
<td>94%</td>
<td>68%</td>
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<tr>
<td>English Learners</td>
<td>18%</td>
<td>24%</td>
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<tr>
<td>Students with Disabilities*</td>
<td>7%</td>
<td>12%</td>
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Data Retrieved 1-15-15 from DataQuest (Enrollment by Ethnicity, English Learner Students by Language by Grade)


All percentages rounded to the nearest whole number

Reason for Denial by the Local District

The LAUSD Board denied the petition based on written findings of fact taking into account the pertinent sections of Education Code (EC) and the California Code of Regulations, Title 5 (5 CCR) governing charter renewal.

The LAUSD Board of Education Report and attached staff report (LAUSD Report) provides evidence that the following considerations were taken into account in the decision to deny the renewal of the MSA-Bell charter.

**EC 47607(a)(3)(A)** states that the **authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.**

LAUSD considered increases in pupil academic achievement for all groups of pupils served by MSA-Bell as the most important factor in determining whether to grant a charter renewal. In the LAUSD report, the district acknowledged the academic achievement gains made by the school. However, LAUSD believes that “the cumulative gravity of the Charter Management Organization’s (Magnolia Educational Research Foundation [MERF]) operational and fiscal deficiencies and significant failures in governance thereto nonetheless substantially outweighs the extra consideration provided by SB 1290.” (i.e., EC 47607(a)(3)(A)).

**EC 47607(b) and 5 CCR 11966.4(a)(1)** require a charter school provide evidence that it met at least one (1) of five (5) statutory criteria prior to receiving a charter renewal.

The MSA-Bell petition submitted to LAUSD states that the school met three (3) of the five (5) criteria for renewal specified in EC 47607(b). New City cited the Statewide and Similar Schools Ranks for 2013 as the year prior to renewal. However, 2014 is the year prior to renewal, not 2013. Due to the suspension of the API, 2014 ranks were not issued; therefore, in order to have met the criteria under EC 47607(b) or (c), the school would have to have obtained the minimum rank of four (4) in both 2013 and 2012. MSA Bell did not meet these criteria (see LACOE staff analysis beginning on page 9 of this report).

Despite this error, the data provided by the school is evidence that MSA-Bell **did meet** one (1) of the five (5) minimum requirement to be considered for renewal under EC 47607(b)(1). The LAUSD Board also found that MSA-Bell met this requirement.

**5 CCR 11966.4(a)(2)** requires submission of a **copy of the renewal charter petition including a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed.**
The LAUSD Board found that “the charter renewal petition for MSA-8 [MSA-Bell] fails to include performance targets aligned to the state priorities under Priority 2 as required under a school’s Local Control Accountability Plan (LCAP) for EL students.”

5 CCR 11966.4(b)(1) states that when considering a petition for renewal, the district governing board shall consider the past performance of the school’s academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement, if any.

In reviewing the past performance of MSA-Bell, LAUSD also considered the past performance of the school’s CMO, MERF. The district cited serious concerns relative to the fiscal, operational and governance practices of MERF, which was the subject of a forensic review commissioned by LAUSD (Report on Magnolia Science Academy 6 & 7 Forensic Accounting, completed by Vincenti, Lloyd & Stutzman, LLP dated June 12, 2014 (VLS Report)).

While the forensic review “was conducted as part of the conditional renewal of MSA 6 [and] MSA 7…the review highlighted overall operational issues for MERF which rise to a high level concern with regard to the nonrenewal of MSA 8. These issues are not limited to a concern over misuse of public funds but go to both solvency and operations of MERF and the diversion of funds from the educational program at MSA 8.”

The LAUSD Report states “MERF has demonstrated a disregard for protecting the public trust by mismanaging its fiscal resources in a manner that diminishes benefit to students…The [VLS Report] raised fatal flaws regarding the financial and business practices by MERF, as overseen by its Governing Board, including concerns about the organization's fiscal solvency, inappropriate expenditures, and interschool loans to MERF from its schools for operational costs beyond its service fees - the largest of which was sourced ($1,619,546) from Magnolia Science Academy Bell (VLS Report, p. 31).”

The district’s report reiterated “serious concerns regarding the fiscal viability, fiscal mismanagement, and overlap of governance and operational responsibilities with Accord which were raised in the forensic review.”

Additionally, the LAUSD Report stated, “based on past oversight visits, it appears that some of the innovative STEM features are not fully implemented into the instructional program. For instance, there was no evidence to indicate whether Engineering as a theme, unit, or a course of study as an elective was being offered at the school site.”

5 CCR 11966.4(b)(2) permits a district governing entity or board to deny a petition for renewal of a charter school only if it makes written factual findings as mandated by EC 46505(b), the absence of written factual findings shall be deemed an approval of the petition for renewal.

The LAUSD Board made written factual findings in support of denial through its action on November 18, 2014 as follows:

EC 47605(b)(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the charter. The LAUSD Report states the following findings:

1. Fiscal and Operational Concerns:

   The forensic review of MSA 6 and 7 and MERF…conducted by Vicenti, Lloyd and Stutzman [VLS]…identified activity that appeared significant or unusual and reviewed transactions between MERF and MSA 6 and 7. The forensic review’s findings related to the CMO MERF revealed issues which rose to a level of fiscal mismanagement, including the following material areas of concern:
a. MERF’s Financial Solvency

MERF meets the definition of being insolvent. MERF has significant negative net assets for FY [Fiscal Year] 2013 and FY 2014...Per the FY 2014 year-end balance sheet prepared by MERF, MERF had deficit net assets of ($1,205,623).

b. Lack of Disclosures for Audited Financial Statements

VLS discovered that there were certain footnote disclosures that were not made by MSA 6, MSA 7, and/or MERF. One of the critical disclosures that were not made was the negative net assets of both schools. Also, there was no disclosure in the related party notes identifying CMO fees paid by the schools to MERF. Specific to MERF, there was no disclosure about the $2.8 million that MERF owed to the various MSA schools or payment terms or interest rates, including the money MERF borrowed from MSA 8. (VLS report, p. 29).

c. Inter-schools Borrowing

The forensic review revealed that there was no documentation of loans between the schools and MERF showing the terms and conditions related to the loans. [LAUSD’s Charter Schools Division] had previously placed MERF on notice of this issue through oversight.

As stated above, MERF owed MSA 8 $1.6 million dollars as of June 30, 2013. MSA 1 and MSA 8 bore the majority of the burden of loaning to MERF. There was no documentation that the transfers were approved by the board. More importantly, it raises the question regarding the appropriateness of lending money to a CMO that is established to provide support to the schools. The District is not aware of any other CMO that borrows substantial money as is the case for MERF from its schools, if any at all, nor is the District aware or been provided legal authority supporting these undocumented transactions. MERF failed to keep detailed records relating to the administration and CMO fees it received from the charter schools.

d. Failure to Follow GAAP [Generally Accepted Accounting Procedures] Standards

The forensic review noted instances in which MERF and the schools’ failed to abide by GAAP standards.

e. Weak Fiscal Controls

The VLS report noted that MERF failed to have internal controls to ensure that approvals for purchases above $500 were properly approved. For example, a sampling performed of the expenses on Principal debit cards showed that principals spent more than $500 per transaction which exceeds the amount established by MERF in its fiscal control policies. The samplings showed that there were no documented approvals for purchases greater than $500 and some transactions did not appear in the ledger. Although the purchases are reconciled with receipts, there is no documented approval process for the expenses over $500.

f. Accord Contracts

From FY 2009/2010 to February 2014, MERF paid a total of $3,050,454 to Accord…services from Accord clearly overlap with the responsibilities of MERF’s central office…Furthermore, the fees associated with the Accord contract were determined inconsistently without regard for the services provided or the cost to provide the service. The per student charge did not tie to the enrollment of the schools. This lack of accountability does not allow for an assessment of the fees as to whether the fees are fair or reasonable.
For FY 2012/2013, the cost of the Accord contract was over 25% of the total expenses for MERF.

The fact that the CMO borrows significant resources from the schools it is designed to support on top of its management fee – all the while paying over a quarter of its budget to Accord for services similar to those expected from the CMO – raise serious governance, operational, and financial concerns. These concerns are exacerbated by MERF’s lack of appropriate documentation and accounting all of which raise significant questions about the governance of the schools.

g. Magnolia Educational Research Foundation v. LAUSD

In the Magnolia Educational Research Foundation v. LAUSD writ matter challenging the nonrenewal of MSA 6 and MSA 7, the court in issuing a preliminary injunction, stated, “The Court acknowledges that LAUSD has presented evidence establishing financial mismanagement by the Charter Schools.”

In its decision, the Court also imposed a number of conditions. LAUSD’s Report indicated that since the Court’s decision, the district found that MERF failed to follow the Court order in the following manner: MERF has (1) continued to use inter-schools borrowing to meet cash flow obligation for its schools (e.g., MSA 6); (2) issued non-payroll checks without proper back-up documentation; (3) not maintained adequate reserves at MSA 6; and (4) continued to make payments to Accord (via MSA-Bell).

2. Governance and Administration of Services

Given that MERF operates as one organization, the findings against MERF in the forensic review leads to serious concerns about the governance of MSA 8…[I]t is concerning that MERF expends a substantial amount of resources on Accord services which are duplicative in many areas to the services MERF and its administrative central office performs.

…the overlap of services MERF provides as a CMO and the services Accord provides raises the question of the purpose of MERF and the management fees it receives from the schools when it appears that Accord is providing wholesale operations to the school. Furthermore, it is critical to note that pursuant to MSA 8’s renewal petition, MERF continues to contract with Accord contrary to the court’s conditions issuing the preliminary injunction which prohibits MERF from making any further expenditures to Accord.

EC 47605(b)(5) LAUSD found that the petition fails to provide a reasonably comprehensive description of five (5) of the sixteen (16) required elements as follows:

Element 1: Description of the Educational Program
Element 2: Measurable Pupil Outcomes
Element 3: Method for Measuring Pupil Progress
Element 8: Admission Requirements
Element 10: Suspension and Expulsion Procedures

Any of the above findings may be cause for denial of a renewal petition.
Response from the Petitioner

The petitioner provided a written response to the findings of the local board and submitted it as part of the petition package. The response was considered during the review process.

Appeal to the Los Angeles County Board of Education

The Los Angeles County Board of Education (County Board) held a Public Hearing to determine support for the petition on January 13, 2015.

At the Public Hearing, ten (10) people spoke in support of the school: Four (4) parents, three (3) students, two (2) members of the school’s administrative team and the Mayor of Bell. No one spoke in opposition to the school.

Los Angeles County Office of Education Review Process

Review Criteria: The Los Angeles County Office of Education (LACOE) Charter School Review Team (Review Team) considered the petition according to the requirements of the Education Code and other pertinent laws, guidance established in the California Code of Regulations, Title 5, County Board Policy and Superintendent’s Administrative Regulations.1

LACOE has adopted the petition review criteria established in 5 CCR 11967.5.1(a-g) except where LACOE determined that the regulations provide insufficient direction or where they are not applicable because the structure or responsibility of the County Board and LACOE differ from those of the State Board of Education (SBE) and the CDE. In these instances, LACOE developed its own local review criteria or added criteria to those developed by CDE to reflect the needs of the County Board as the authorizer and LACOE as the monitoring and oversight agency. Local criteria do not conflict with statute.

Reasonably Comprehensive: In addition to the regulatory guidance that specifies the components of each required element, 5 CCR 11967.5.1(g) states a “reasonably comprehensive” description of the required petition elements shall include, but not be limited to, information that:

1. Is substantive and is not, for example, a listing of topics with little elaboration.
2. For elements that have multiple aspects, addresses essentially all aspects the elements, not just selected aspects.
3. Is specific to the charter petition being proposed, not to charter schools or charter petitions generally.
4. Describes, as applicable among the different elements, how the charter school will:
   (A) Improve pupil learning.
   (B) Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving.
   (C) Provide parents, guardians, and pupils with expanded educational opportunities.
   (D) Hold itself accountable for measurable, performance based pupil outcomes.
   (E) Provide vigorous competition with other public school options available to parents, guardians, and students.

Reasonably Comprehensive with Deficiencies: An element may be reasonably comprehensive but lack specific critical information or contain an error important enough to warrant correction. These elements are described as “reasonably comprehensive” with a specific “deficiency” or “deficiencies.” Correcting

1 Words in italics indicate a direct reference to the language in these documents.
the deficiency or deficiencies would not be a material revision (as defined in statute and County Board Policy) to the charter.

**Technical Adjustments:** Three (3) circumstances may require a “technical adjustment” to the petition:

- Adjustments necessary to reflect the County Board as the authorizer. These adjustments are necessary because the petition was initially submitted to a local district and contains specific references to and/or language required by that district and/or the petition does not reflect the structure of the County Office.

- Adjustments needed to bring the petition current with changes made to law since the petition was submitted to the district as required by statute.

- Adjustments necessary to address clerical errors or inconsistencies where making the adjustment would not be a material revision (as defined in statute and County Board Policy) to the charter.

**Affirmations and Assurances:** The petition shall contain a clear, unequivocal affirmation of each requirement, not a general statement of intention to comply. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in EC 47605(c – f, l and m).

**Reviewers:** The Review Team included staff from Business Advisory Services, Facilities and Construction, Risk Management, Curriculum and Instruction, Special Education, Student Support Services, Human Resources, the Office of General Counsel, and the Division of Accountability, Support and Monitoring, including the Charter School Office.

**Scope of Review:** Findings are based on a review of the same petition and supporting documents considered by the local district, information obtained through the Capacity Interview and other communications with the petitioner and representatives of the school, and other publicly available information.

**Legislative Intent**

The Review Team considered whether the petition complies with EC 47601, the Charter Schools Act, which states:

> 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, as a method to accomplish all of the following:

(a) Improve pupil learning.

(b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.

(c) Encourage the use of different and innovative teaching methods.

(d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

(e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.

(f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.
Additional Review Criteria Specific to a Renewal Petition

The appeal of a charter not renewed at the district level is additionally governed by EC 47607 and 47605 and 5 CCR 11966.5, which provide the requirements for the submission of an appeal to a county board of education and the grounds for denial.

EC 47607(a)(2) states that renewals are governed by the standards and criteria in section 47605 (the requirements to establish a charter), and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

This language varies slightly from the requirement under 5 CCR 11966.4(a)(2), which requires the district to determine whether the renewal petition includes a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Emphasis added)

The Review Team determined whether each required element complies with current legal requirements and whether the petitioners demonstrated they are familiar with current legal requirements through the Capacity Interview. If the petition did not comply or the petitioners were unfamiliar with current law, the Review Team noted the deficiency through the applicable Finding.

EC 47607(a)(3)(A) states that the authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal. (Emphasis added)

This consideration applies to the authorizing entity. This requirement is not referenced or specified in Regulations (5 CCR 11966.5(c)(1-2)) that apply to a county board’s consideration of the appeal of a renewal petition.

5 CCR 11966.5(b) provides the timelines, process and requirements for reviewing a renewal petition:

(1) Documentation that the charter school meets at least one of the [academic performance] criteria specified in EC section 47607(b). These criteria and corresponding data for the MSA-Bell Charter School is provided below:

EC 47607(b)(1): Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the school.

<table>
<thead>
<tr>
<th>Year</th>
<th>Schoolwide</th>
<th>Hispanic or Latino Student Group</th>
<th>Socioeconomically Disadvantaged Student Group</th>
<th>English Learner Student Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>API suspended; No Growth Targets established</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>5</td>
<td>Yes (+49)</td>
<td>5</td>
<td>Yes (+50)</td>
</tr>
<tr>
<td>2012</td>
<td>7</td>
<td>Yes (+61)</td>
<td>7</td>
<td>Yes (+54)</td>
</tr>
</tbody>
</table>

Source: Data retrieved 1-6-15 from CDE DataQuest

Analysis: Due to the suspension of the API, Magnolia-Bell did not receive Growth Targets for 2014 (the year prior to renewal). However, based on 2012 and 2013 data, MSA-Bell does qualify for renewal under this criterion as it made its growth targets schoolwide and for all groups of pupils served by the school in both of those years.
**EC 47607(b)(2):** Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

<table>
<thead>
<tr>
<th>Year</th>
<th>Statewide Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>API Suspended; No ranks issued</td>
</tr>
<tr>
<td>2013</td>
<td>4</td>
</tr>
<tr>
<td>2012</td>
<td>2</td>
</tr>
</tbody>
</table>

Source: Data retrieved 1-6-15 from CDE DataQuest

**Analysis:** Due to the suspension of the API, schools did not receive a Statewide Rank for 2014 (the year prior to renewal). Based on 2012 and 2013 data, MSA-Bell does not qualify for renewal under this criterion because it did not rank in deciles 4 to 10 during both of those years.

**EC 47607(b)(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.

<table>
<thead>
<tr>
<th>Year</th>
<th>Similar Schools Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>API Suspended; No ranks issued</td>
</tr>
<tr>
<td>2013</td>
<td>5</td>
</tr>
<tr>
<td>2012</td>
<td>2</td>
</tr>
</tbody>
</table>

Source: Data retrieved 1-6-15 from CDE DataQuest

**Analysis:** Due to the suspension of the API, schools did not receive a Similar Schools Rank for 2014 (the year prior to renewal). Based on 2012 and 2013 data, MSA-Bell does not qualify for renewal under this criterion because it did not rank in deciles 4 to 10 during both of those years.

**EC 47607(b)(4):** (A) 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. (B) The determination made pursuant to this paragraph shall be based upon all of the following: (i) Documented and clear and convincing data. (ii) Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools. (iii) Information submitted by the charter school. (C) A chartering authority shall submit to the [State] Superintendent copies of supporting documentation and a written summary of the basis for any determination made pursuant to this paragraph. The Superintendent shall review the materials and make recommendations to the chartering authority based on that review. The review may be the basis for a recommendation made pursuant to Section 47604.5. (D) A charter renewal may not be granted to a charter school prior to 30 days after that charter school submits materials pursuant to this paragraph.

**Analysis:** It was not necessary for LAUSD to evaluate the school under this subsection as it qualified for renewal based on EC 47607(b)(1).

**EC 47607(b)(5):** Has qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052.

**Analysis:** Not applicable. MSA-Bell is not an ASAM school.
MSA-Bell met at least one (1) of the five (5) academic performance criteria specified in EC 47607(b) necessary to be considered for renewal.

(2) When an appeal, a copy of the governing board’s denial and supporting written factual findings, if available.

The petitioner supplied the required documents.

(3) When an appeal, a description of any changes to the renewal petition necessary to reflect the county board of education as the chartering entity.

The petitioner supplied this description. The description of the changes necessary for the school to operate as its own Local Education Agency (LEA) for Special Education was included. However, a number of additional necessary changes were not provided. The narrative stated changes to the petition would be made to the dispute resolution process, but failed to describe those changes.

5 CCR 11966.5(c) provides the areas to be considered to make a determination as to whether a charter should be renewed and provides the conditions under which a county board may deny a renewal petition:

(1) When considering a petition for renewal, the county board of education shall consider the past performance of the school’s academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement, if any.

Concerns regarding the past performance of the school and/or future plans for improvement, if provided, are addressed under Finding 3, and/or as applicable under the appropriate petition element

(2) The county board of education may deny a petition for renewal of a charter school only if [it] makes written factual findings, specific to the particular petition, setting forth facts to support one or more of the grounds for denial set forth, as applicable, in Education Code 47605(b) or failure to meet one of the criteria set forth in Education Code section 47607(b). (Emphasis added)

Los Angeles County Office of Education Findings of Fact

Finding 1: The charter school met one (1) of the five (5) academic performance criteria specified in EC 47607(b) necessary to be considered for renewal.

MSA-Bell qualified for renewal consideration based on EC 47607(b)(1) because the school attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the school. See data and analysis above.

Finding 2: The petition provides an unsound educational program for students to be enrolled in the school. [EC 47605(b)(1)]

Based on the guidance established in 5 CCR 11967.5.1(a), the charter petition presents an unsound educational program for Students with Disabilities based on evidence that the program involves activities that would present the likelihood of physical, educational, or psychological harm to the affected pupils.

The duties for Special Education staff include responsibilities that put students at risk. The duties of these positions include handling crisis situations and physically restraining students; however, the qualifications do not include skills or training in this area. Without specialized training in behavioral interventions, such as Crisis Prevention Institute (CPI) nonviolent crisis intervention training, the program presents the likelihood of physical, educational, or psychological harm to the affected pupils.

The petitioner submitted this narrative as Section II of the appeal. It is referred to as “Changes to Reflect the County Board as the Authorizer” throughout this Report.
**Finding 3**: The petitioners are demonstrably unlikely to successfully implement the proposed educational program. [*EC 47605(b)(2)]*

5 CCR 11967.5.1(f)(1) provides four (4) indicators that a petitioner may be unlikely to implement the proposed educational program. Based on the review of the petition, supporting documents, and the Capacity Interview with the school’s leadership team, the petitioner is unlikely to be successful based on evidence of the following:

1. The petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history that LACOE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioner’s control.

The June 12, 2014 *Report on Magnolia Science Academy 6 & 7 Forensic Accounting*, completed by Vincenti, Lloyd & Stutzman, LLP (VLS Report) contained findings related to the CMO MERF, which rose to a level of fiscal mismanagement, including the following material areas of concern:

<table>
<thead>
<tr>
<th>Areas of Concern</th>
<th># of Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Financial Solvency</td>
<td>3</td>
</tr>
<tr>
<td>2 Going Concern and Other Footnote Disclosures</td>
<td>3</td>
</tr>
<tr>
<td>3 Inter-Company Loans</td>
<td>5</td>
</tr>
<tr>
<td>4 MERF Expenditures: Accord</td>
<td>3</td>
</tr>
<tr>
<td>5 MERF Expenditures: Immigration/Visa Related Fees</td>
<td>1</td>
</tr>
<tr>
<td>6 MERF CMO Fee Revenue</td>
<td>1</td>
</tr>
<tr>
<td>7 Improper Accounting Treatment*</td>
<td>6</td>
</tr>
<tr>
<td>8 Insufficient Supporting Documentation*</td>
<td>4</td>
</tr>
<tr>
<td>9 Segregation of Duties-Debit cards</td>
<td>1</td>
</tr>
<tr>
<td>10 Unusual or Questionable Transactions</td>
<td>5</td>
</tr>
<tr>
<td>11 Fundraising Activity</td>
<td>2</td>
</tr>
<tr>
<td>12 Payroll Expenses</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total VLS Findings</strong></td>
<td><strong>39</strong></td>
</tr>
</tbody>
</table>

*While these findings were specific to MSA 6 & 7, MERF is the entity responsible for the financial operations of all of its schools, including MSA-Bell.*

As of its November 18, 2014 report, LAUSD did not validate whether MERF had made systemic changes to adequately cure material findings and prevent future findings. To the contrary, LAUSD found further incidents of inadequate fiscal controls, inter-school borrowing and expenditures to Accord as mentioned above.

Prior to the VLS Report, the LAUSD Office of Inspector General conducted an audit of MERF, entitled *Audit Report Magnolia Science Academy-Charter Schools*, dated August 20, 2012.⁴ Findings in the audit include inadequate fiscal controls, lack of documentation for disbursements, a failure to maintain required fund reserves and weaknesses in the school’s governance structure. Many of these same issues are still occurring, as identified in the LAUSD Report.

In addition to the 11 schools currently operated by MERF, it has closed two (2) of its California schools: Magnolia Science Academy-San Diego 2 and Pacific Technology School Orangevale.

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Staff Findings on the Renewal Petition for the Magnolia Science Academy-Bell

(PTS0). According to the CDE’s Charter School Database, the San Diego school closed voluntarily due to low enrollment and the petitioner withdrew the renewal petition for PTS0.

Prior to its closure, PTS0 (authorized by the SBE) received a letter of concern from the CDE and was on the April 2013 list of SBE-authorized charter schools in Poor Financial Condition. This list was provided in the April 12, 2013 Memorandum from State Superintendent Torlakson to the SBE regarding the financial conditions of SBE-authorized charter schools. The memo stated the fiscal concerns as follows:

PTS0 ended FY 2011–12 with a significant operating deficit of $278,301 and a negative fund balance of $321,125. PTS0 second interim report projects a reversal to an operating surplus of $36,376 for the FY 2012–13, but fund balance remains negative at $284,749. A negative fund balance trend is an indicator that demonstrates poor fiscal management practices and if unabated may result in financial insolvency or CDE/SBE action. Further, with a negative fund balance, reserves are not available to be set aside as recommended in the MOU. (Emphasis added)

The school closed effective June 30, 2014, after withdrawing its renewal petition to the SBE.

(2) The petitioners are unfamiliar with the content of the petition or the requirement of law applicable to the proposed charter school. [5 CCR 11967.5(c)(2)]

- The petitioners demonstrate they are unfamiliar with...the requirement of law related to student discipline. The petition lacks evidence that in preparing the lists of offenses...the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools as the lists of suspendable and expellable offenses did not reflect changes to the law that have occurred in the past 2-3 years (see Finding 5, Element 10 for details).

- The petitioners demonstrate they are unfamiliar with...the requirement of EC 47605(b)(5)(B) which states, Pupil outcomes shall include outcomes that address pupil academic achievement both schoolwide and for all groups of pupils served by the school. The petition does not identify specific outcomes for the different student groups served by the school.

- The current job description for the CEO submitted by the petitioner after the Capacity Interview indicates a lack of familiarity with the requirements of Government Code 1090 (see Element 4).

(3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. [5 CCR 11967.5(c)(3)]

An unrealistic financial and operational plan is one to which there is evidence that any or all of the following apply:

1. In the area of administrative services, the charter and supporting documents do not adequately describe the structure for providing administrative services...that reflects an understanding of school business practices and expertise to carry out the necessary administrative services, or a reasonable plan and timeline to develop and assemble such practices and expertise.

   - There is a duplication of administrative services provided by MERF and Accord. A review of MERF’s list of services when compared to the scope of services listed in the Accord contract, indicate a duplication of services.

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4 The CDE defines schools in Poor Financial Condition as charter schools that have negative fund balances and no reserves. Also, these schools do not have adequate cash levels and have high debt levels.
Accord is being paid to provide many of the same services for which MSA Bell is paying MERF as its CMO. Examples of the overlap include budget development, Public Relations (PR), and college advisement. This business structure causes undue financial strain on the organization.

- The *Magnolia Educational & Research Foundation Accounting Manual (Accounting Manual)* submitted by the petitioner was not approved or signed by CEO or Board. The procedures in the manual reveal a lack of internal controls and separation of duties. Specific concerns about the procedures in the *Accounting Manual* include:
  - No expenditure limit established for Credit/Debit card purchases, or contracts. Purchases of any size do not appear to need CEO, Board or other approval.
  - No description of the process for approving Credit/Debit card purchases.
  - No requirement for governing board approval of the Contract for the Independent Auditor.
  - Inadequate internal controls for vendor selection.

2. *In the area of administrative services, the charter and supporting documents do not adequately describe criteria for the selection of a contractor or contractors that demonstrate necessary expertise and the procedure for selection of the contractor or contractors.*

Neither the petition nor the *Accounting Manual* contains information regarding the use of a competitive bidding process in the selection of contracts or independent contractors.

3. *In the area of financial administration, the charter and supporting documents are not adequate:* There is insufficient information to validate the fiscal solvency of MERF. While the petition contains all required documentation specific to MSA-Bell, no budget or other financial information was provided for MERF. Because MSA-Bell is a subsidiary of MERF, which has a history of inter-school borrowing, it is not possible to provide an evaluation regarding the viability of the school’s finances without reviewing the entire organization. The VLS Report stated **MERF meets the definition of being insolvent and has significant negative net assets for FY 2013 and FY 2014.**

While MERF’s CEO offered to provide audit information to the Review Team, this information was not considered by the LAUSD Board; therefore, it is not within the scope of this review.

(4) The petitioners personally lack the necessary background in curriculum, instruction, assessment, finance and/or business management, areas that are critical to the school’s success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in these areas. [5 CCR 11967.5(c)(4)]

- There are concerns regarding the CMO’s capacity to maintain effective finance and/or business management based on the significant issues in the area of finance and operation identified in the VLS Report and LACOE staff review.

At the Capacity Interview, the leadership team stated that MERF is restructuring. They are replacing top administrators and have hired a new Director of Finance (effective November 3, 2014) in an effort to correct internal control issues, effectively validating LAUSD’s concerns.

The changes reported in the Capacity Interview are not reflected in the petition or supporting documents. The petition did not contain a resume or job description listing the qualifications to be met by the Director of Finance; also, this position is not included in the Organizational Chart.
Staff Findings on the Renewal Petition for the Magnolia Science Academy-Bell

contained in the petition (The Chief Financial Officer position listed on the Organizational chart is currently vacant.). Additionally, the petition and supporting documents do not include a plan for restructuring the CMO.

Additionally, the recent cancellation of the contract with Accord calls into question how the services currently provided by Accord would be provided in the future both in the area of administrative services and educational support.

Finding 4: The petition contains an affirmation of all specified assurances. [EC 47605(b)(4); EC 47605(d)]

Finding 5: The petition does not contain a reasonably comprehensive description of all required elements. [EC 47605(b)(5)(A)-(P)]

Based on the guidance established in EC, 5 CCR, the requirements set forth in the Superintendent’s Administrative Regulations (AR) and other requirements of law, nine (9) of the 16 required elements are not reasonably comprehensive. The findings of the Review Team are as follows:

Element 1: Description of the Educational Program. Not reasonably comprehensive

1. The petition provides insufficient description of the specific educational interests, backgrounds, or challenges of the student population the school proposes to serve.

While specific students groups are mentioned (e.g., ELs, low income and students with disabilities), the petition fails to identify the interests, background and challenges of these populations. Additionally, the petition fails to mention Foster youth; approximately 17% of the youth living in Bell reside with a non-parent, which makes them eligible to be identified as a foster youth.5

2. The petition lacks a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.

The petition does not describe how students will have equitable access to all educational program offerings. The model for providing English Language Development (ELD) Targeted instruction, English-Language Arts (ELA) and math intervention classes is during elective periods. Course offerings such as Languages Other than English (Spanish, Turkish, Chinese), Visual and Performing Arts, Physical Education, Advanced STEM, Computers and Technology, Get Ready For Life (GRFL), and other elective courses are not available to students needing ELD or intervention in math or ELA. The petition contains an inadequate description of the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods.

3. The petition contains an inadequate description of the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods.

There are discrepancies between the petition and the school’s actual program regarding Physical Education (PE) courses and the GRFL program. The petition states these courses are electives and “are offered depending on student needs/demands and availability of teachers and resources” (page 60). However, at the Capacity Interview the Principal stated all students take PE daily and all participate in GRFL, which is a key component to the success of the instructional program at MSA-Bell. The lack of clarity may result in students not having access to the school’s core program.

4. The petition does not sufficiently indicate how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.

• The interventions for students below grade level are not clearly articulated. Tier 1 interventions are described, but Tier 2 and 3 are not delineated. Further, the petition states that Tier 3 interventions take place before and after school. There is a concern that students needing higher levels of intervention are not able to access the needed support.

• The petition does not describe the MPS Intensive Home Study Program (MPS IHSP) which is required if a student fails three (3) or more core courses and wishes to promote to the next grade level, nor does it indicate how the school will support students who are unable to attend the summer program.

At the Capacity Interview, the Principal explained that the MPS IHSP program consists of work packets created by the teachers. Students complete these packets using an independent study model, which may be insufficient to support students not achieving at grade level. Further, it delays intervention for students until after the school year is over.

5. The petition lacks an adequate description of how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations

• The petition lacks a description of how the school will meet the needs of students with disabilities, Foster youth or redesignated EL students as required by law (Assembly Bill 97). Each of these student groups is a significant population at the school and within the city of Bell.

• The school schedule indicates that periods 7 and 8 are for electives and intervention, including ELD targeted instruction. ELS in need of intervention are not able to access elective programs such as Visual and Performing Arts, languages other than English and the A+ STEM course.

6. The petition fails to adequately 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.

• It does not provide specific information on services, program, identification and evaluation of students with disabilities. It does not adequately describe the process to be used to identify students who qualify for special education programs.

• The element does not specify how the school program meets the needs of students with varying levels of disabilities. Nor does it describe how the school will provide or access special education programs and services identified in a student’s Individualized Educational Plan (IEP).

• The composition of the IEP team is not consistent with law. The list of IEP team members does not include the parent and no information is provided on how parents will meaningfully participate in this process.

• There is no description of the placement of EL students with IEPs or how the IEPs will be linguistically appropriate for this population.

7. The petition’s bell schedule, proposed school calendar, and the instructional minutes by grade level contains multiple errors and inconsistencies:

• The 2015-16 academic calendar lists June 4, 2016, as the last day of school, which is a Saturday.
Staff Findings on the Renewal Petition for the Magnolia Science Academy-Bell

- Winter Break is calendared from December 21, 2015, to January 8, 2016, with the first day of second semester as Tuesday, January 12, 2016. There is no indication if Monday, January 11, 2016, is a non-instructional day because the date is omitted from the calendar.

- The Instructional Minutes table needs to be clarified. Table 4 (page 81) indicates 128 regular days, 38 early dismissal days and 14 minimum days; while Table 1 (page 80), only has regular day and shortened day bell schedules. The petition does not indicate when minimum days will be held or what the bell schedule is on those days.

- There are only 37 possible early dismissal days (Wednesdays), not 38 days as listed in the table.

**Element 2: Measurable Pupil Outcomes.** *Reasonably comprehensive with specific deficiencies*

1. The petition does not include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils serves by the charter school (emphasis added). Specific outcomes for subgroups are not identified.

2. The petition does not include outcomes or methods of measuring outcomes for Career and College Readiness, which is a key component of the school’s vision and the Common Core State Standards.

**Element 3: Method for Measuring Pupil Progress.** *Not reasonably comprehensive*

1. There is no evidence that the school analyzed current data to set Performance Targets as there is no baseline data provided for the identified targets.

2. The Performance Targets remain the same from 2015-16 through 2019-20, with no goals for interim improvement.

3. The petition does not provide adequate metrics for several outcomes listed in Table 4.

4. The petition does not outline a plan for collecting...reporting data on pupil achievement...to pupils’ parents and guardians outside of quarterly report cards.

5. The petition does not include a plan...for utilizing the data continuously to monitor and improve the charter school’s educational program.

6. The goal for academically low achieving students is insufficient to bring students to grade level quickly. The goal is for students to make a year of progress within a school year; academically low achieving students need intensive support that will support growth at a faster rate.

**Element 4: Governance Structure.** *Not reasonably comprehensive*

1. Ambiguity in the corporate bylaws affects the transparency of board operations as follows:
   - The bylaws contain a number of provisions specifying certain procedures when it acts as a “charter school operator” and provisions regarding non-charter school related meetings. It is not clear under what circumstances the governing board will not be acting as a charter school operator or what determines a non-charter school related meeting.
   - The bylaws also contain conflict of interest provisions that are different for when is acting as a charter school operator versus when is not acting as such an operator. The bylaws do not define under what circumstances the board will not be considered a charter school operator. This ambiguity may result in conflicts of interest.
When asked to clarify this issue at the Capacity Interview, Board members present were unaware of the separate provisions for charter school and non-charter school activities in their bylaws.

2. The organizational chart for the CMO is incomplete and does not reflect the hierarchy described in the job descriptions.
   - The organizational chart indicates the school’s administration reports directly to the CEO, with the Chief Academic Officer (CAO) and other top administration on the same level as the school principal. This conflicts with the job description for the CAO which states that school leaders at each school as well as the curriculum and instructional staff will report directly to the CAO who will have the primary authority and leadership for the academic performance of all schools.
   - The organizational chart also fails to include key personnel identified by the petitioners at the Capacity Interview, including the Director of Finance.

3. The description of the School Site Council (SSC) does not follow State guidelines.
   - The SSC is described as an “advisory body” when in fact it is a decision making body charged with developing, monitoring and evaluating the school’s Single Plan for Student Achievement and budget.
   - Additionally, classroom teachers do not comprise the majority of persons on the SSC as required by EC 52852.

4. The CEO job description submitted by the petitioner on January 16, 2015, indicates that the CEO will serve as a non-voting member of the Board of Directors. This is in violation of Government Code 1090 which states that employees may not serve on the governing board.

5. The Stakeholder Engagement section does not describe how the school plans to ensure parent representation for foster youth, low income students and students with disabilities.

Element 5: Employee Qualifications. Reasonably comprehensive with specific deficiencies

The petition does not identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support)... sufficient to ensure the health, and safety of the school’s faculty, staff, and pupils.

1. The Skills and Qualifications listed for the four (4) school site administrative positions are identical and do not include characteristics specific to the position or job description. For example, the responsibilities and duties listed for the Dean of Students focus on student behavior and discipline, including “helping students develop positive behavior through a student discipline management system,” yet there is no preference for experience in classroom management or positive behavior intervention programs.

2. The job descriptions for Special Education Teacher and Special Education Aide include the duties of “handling crisis situations and physically restraining students as necessary.” However, there is no requirement for these individuals to have the necessary training necessary to fulfill those duties.

3. Job qualifications and descriptions were not included in the petition for CMO positions identified on the organizational chart other than for the CEO. The petitioner supplied the descriptions for the top administrators upon request; however, qualifications for other positions (e.g. Director of Accountability, HR Specialist and Accountants) were not provided.
The CEO job description in the petition differs from the one submitted by the petitioner on January 16, 2015. (see additional concerns under Element 4)

**Element 6: Health and Safety Procedures. Reasonably comprehensive**

**Element 7: Means to Achieve a Reflective Racial and Ethnic Balance. Not reasonably comprehensive**

The petition does not contain specific information on the means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted for the following reasons:

1. It lacks a demographic description of the general population residing in the school district in which the school proposes to locate.

2. The petition lacks implementation benchmarks that measure whether the applicant pool is reflective of the racial and ethnic composition of the general population residing within the geographic boundaries of the school district and how the school will measure whether it has met the demographic composition of the district, although the petition states the school will collect this demographic data.

The petition did not provide data regarding the school’s racial and ethnic balance, nor did the petition provide specific information on the efforts made in the past to achieve racial and ethnic balance.

The racial and ethnic composition of the MSA-Bell, LAUSD and the general population within the city of Bell are displayed in the chart below.

<table>
<thead>
<tr>
<th>Demographic Categories</th>
<th>MSA-Bell</th>
<th>LAUSD</th>
<th>City of Bell</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black or African American</td>
<td>0%</td>
<td>9%</td>
<td>1%</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>0%</td>
<td>0%</td>
<td>1%</td>
</tr>
<tr>
<td>Asian (includes Filipino)</td>
<td>0%</td>
<td>6%</td>
<td>1%</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>97%</td>
<td>74%</td>
<td>93%</td>
</tr>
<tr>
<td>Native Hawaiian or Pacific Islander</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>White</td>
<td>3%</td>
<td>9%</td>
<td>5%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>0%</td>
<td>0%</td>
<td>4%</td>
</tr>
</tbody>
</table>

*Source: 2010 Census retrieved 1-8-15 from http://quickfacts.census.gov/; **Source: CDE DataQuest retrieved 1-8-15 from http://dq.cde.ca.gov/dataquest/enrollment; All percentages rounded to the nearest whole number.

3. The petition does not provide specific outreach strategies. It fails to identify which media outlets will be used and how social media will be used to aid in recruitment.

4. The petition contains language referencing LAUSD’s court-ordered integration plan. This requirement only applies to LAUSD authorized schools and should have been removed through the narrative “Changes to Reflect the County Board as Authorizer.”

**Element 8: Admission Requirements. Not reasonably comprehensive**

1. MSA-Bell’s admission preferences do not maintain the preference order specified in EC 47605(d)(2) with respect to students who reside within the district.
2. The order in which the admission preferences are listed in the petition provides preference to non-residents of LAUSD in certain categories (e.g. students being promoted from or transferring from another school operated by the Foundation and their siblings who are not residents of LAUSD) over students who reside in LAUSD, contrary to EC 47605(d)(2).

3. MSA-Bell’s admission preference of students being promoted from or transferring from another school that is operated by the Foundation and their siblings is not compliant with the law.

4. The process for conducting the lottery is not clearly defined and/or observable as the petition fails to identify who will conduct the lottery.

5. The petition contains language referencing LAUSD’s Public School Choice (PSC) resolution. This requirement only applies to LAUSD authorized schools and should have been removed through the narrative “Changes to Reflect the County Board as Authorizer.”


The petition lacks the following statements as necessary for the element to be considered reasonably comprehensive (AR 0420.4):

- The auditor shall be on the State controller’s list of educational auditors.
- The auditor shall be hired by the Board of Directors of the charter school.
- Financial reporting to charter agency would be carried out in pursuant to EC section 47604.33

These requirements should have been addressed through the narrative, “Changes to Reflect the County Board as Authorizer.”

**Element 10: Suspension and Expulsion Procedures. Not reasonably comprehensive**

1. The preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled contain multiple errors and omissions.

   - The petition does not identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must be suspended.

   - The list of offenses for which students in the charter school may (where discretionary) be suspended omits the harassment, intimidation or threats against school personnel in item 23 (EC 48900.4).

   - The manner in which the expellable offenses are presented in the lists mixes discretionary and non-discretionary expellable offenses.

   - EC violations are not cited correctly in the lists of offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled. For example, under Expulsion offenses “Category I,” item 4 references 48900(c) which is irrelevant to the expellable offense listed and “Category III,” item 4 cites an EC that does not exist (EC 38915(b)).

   - The use of this term “Expulsion Expected” for the list of discretionary expellable offenses (“Category II”) could be seen as prejudicial and lead to a fair hearing concern. It also does not comply with the standard of being classified as discretionary or non-discretionary.
The lists of offenses for which students may be suspended or expelled is not reflective of the offenses listed in the Student-Parent Handbook. The handbook contains additional offenses that are not listed in the charter petition, which is the prevailing document.

2. The petition fails to adequately identify the procedures by which pupils can be suspended or expelled. Inadequacies include the following:
   - Under suspension procedures, it does not define what is meant by Placement in Section 10.3.5 and no timeline for making a Placement determination is provided.
   - There are due process concerns regarding who presides over an expulsion hearing. The petition states that expulsion hearing may be heard either by the Board or an Administrative Panel. No criterion is provided to explain when or why an expulsion hearing will be held by which entity.
   - No skills or qualifications (other than being certificated) are given as to who will serve on the Administrative Panel.
   - The expulsion hearing process only addresses the procedure for a hearing by the Administrative Panel and not by the Board.

3. The petition does not adequately identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regards to suspension or expulsion.
   - It states that suspension appeals will be heard by a discipline committee. No qualifications or criteria are provided to indicate who will be selected to serve on this committee.
   - The suspension appeal process allows the Discipline Committee to destroy a mandatory interim record without following the guidelines found in EC 49602 and 5 CCR 16024.
   - No timeline is given as to when a decision will be made regarding an expulsion appeal or when it will be communicated to the appellant.

4. The petition lacks evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioner believes the proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school’s pupils and their parents (guardians).
   - The lists reviewed were not current and did not reflect changes to law in the last 2-3 years, including Assembly Bill (AB) 420 which prohibits expulsion of students solely for violating EC 48900(k).
   - The petition and Student-Parent Handbook contain inadequate information regarding bullying and harassment, required under AB 9.
   - The Education Code sections are incorrectly cited for many of the violations on the school’s list of expellable offenses.
   - The petition only allows for an expulsion term of one (1) year without the options of one (1) semester, or the current semester plus a semester. The petition does not acknowledge that the term of expulsion of one (1) year for violating the Gun Free Schools Act of 1994 can be modified on a case-by-case basis by the chief administering officer of an LEA.
5. The petition fails to provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in…regard to suspension and expulsion.

It does not include information that demonstrates an understanding of the procedures regarding suspension and expulsion of pupils with disabilities. There is no information regarding alternative settings, the need for a manifestation determination (MD), the possible outcomes of an MD and their significance in the continuation or cessation of the disciplinary process, particularly an expulsion.

6. The petition fails to outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.

7. The petition does not describe how the school will comply with AB 1610 (2012), which requires charter schools to notify the school district of residence when a charter school pupil has been expelled or left the school before the school year is completed.

**Element 11: STRS, PERS, and Social Security. Reasonably comprehensive**

**Element 12: Public School Attendance Alternatives. Not reasonably comprehensive**

The petition states that the parent or guardian of each student will be informed on admission forms that the pupil has no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.

Admissions forms submitted with the petition were reviewed. The forms do not include this required notification.

**Element 13: Post-Employment Rights of Employees. Reasonably comprehensive**

**Element 14: Dispute Resolution Procedures. Not reasonably comprehensive**

1. The petition fails to recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with EC 47604.5, the matter will be addressed at the County Board’s discretion in accordance with that provision of law and any regulations pertaining thereto.

   - It does not state that at any time LACOE believes the dispute relates to an issue that could lead to revocation of the charter school, both parties will no longer be subject to this process.

   - It does not state that LACOE may proceed immediately with the revocation procedures as set forth in law and stated below if LACOE believes the charter school:

      - Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

      - Failed to meet or pursue any of the pupil outcomes identified in the charter.

      - Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.

      - Violated any provision of law.

2. The stated timeline to hold mediation (120 days from the date of either party’s request for mediation) is excessive. The timeline should not exceed 60 days.
Element 15: Exclusive Public Employer. *Reasonably comprehensive*

Element 16: Closure Procedures. *Reasonably comprehensive with specific deficiencies*

1. The petition fails to identify the source of funding for the activities identified in 5 CCR 11962 (a) through (h).

2. The bylaws do not ensure that, upon dissolution of the corporation, remaining assets will be distributed to a nonprofit educational entity. The bylaws allow distribution to any nonprofit fund, foundation or corporation that is organized and operated exclusively for charitable purposes...

**Finding 6:** The petition does not satisfy all of the Required Assurances of *Education Code* section 47605(c), (e) through (j), (l), and (m) as follows:

**Standards, Assessments and Parent Consultation.** [*EC 47605(c)*] *Meets the condition*

**Employment is Voluntary.** [*EC 47605(e)*] *Not Applicable; not a conversion charter*

**Pupil Attendance is Voluntary.** [*EC 47605(f)*] *Not Applicable; not a conversion charter*

**Effect on the Authorizer and Financial Projections.** [*EC 47605(g)*] *Does not provide the necessary evidence*

1. The petition does not describe *the manner in which administrative services of the school are to be provided.*
   - The petition did not include copies of any contracts or Memorandum of Understandings (MOUs) for services. After the Capacity Interview, the petitioner submitted the Accord contract and a list of services provided by the CMO. A review of these documents shows an overlap of services in several areas. MSA-Bell is paying a CMO fee of 11%, plus additional monies to Accord for many of the same services.
   - On Monday, February 2, 2015, LACOE received a copy of a letter from MERF’s CEO to Accord indicating that MERF and “subsidiary charter schools” will not be renewing the service contract for the 2015-16 school year. The CEO further indicated her intention to re-negotiate the contract. The petition and supporting documents do not describe how the administrative services will be continued in light of the cancellation of the Accord contract or its re-negotiation.

2. The petition does not provide *financial statements that include a proposed first-year operational budget, including startup costs, and cash-flow and financial projections for the first three years of operation.*

   While the petition contained the required budgets, the CMO has a history of inter-school borrowing; therefore, we cannot determine the viability of the school’s finances without reviewing the financial standing of the entire organization. The VLS Report stated “MERF meets the definition of being insolvent and has significant negative net assets for FY 2013 and FY 2014.”

   The table below illustrates the financial position of MSA-Bell and MERF based on data derived from the last three (3) Annual Independent Audit reports.
Prior Year Financial Report/Statements: MSA-Bell and MERF

<table>
<thead>
<tr>
<th>FINANCIAL OVERVIEW</th>
<th>CASH</th>
<th>NET ASSETS</th>
<th>LIABILITIES</th>
<th>OPERATING RESULTS</th>
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</thead>
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<td><strong>2012 Year (1)</strong></td>
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<tr>
<td>MSA-Bell</td>
<td>$177,112</td>
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<td>MERF</td>
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<td>$(1,692,574)</td>
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<td><strong>2013 Year (2)</strong></td>
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<td></td>
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<tr>
<td>MSA-Bell</td>
<td>$365,710</td>
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<tr>
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<td><strong>2014 Year (3)</strong></td>
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<tr>
<td>MSA-Bell</td>
<td>$1,439,272</td>
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<tr>
<td>MERF</td>
<td>FY ending June 30, 2014 data is not available for review</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. The charter petition and past performance of the school’s operating entity (MERF) result in potential civil liability effects for the County Board for the following reasons:

- The fiscal concerns identified in both this report and the VLS Report could result in liability to the authorizing entity for misuse of public funds.

- Dispute resolution procedures are deficient and do not comply with statutory requirements for revocation. The deficiencies could result in legal action for LACOE and the County Board.

- The petition contains inadequate information regarding the school’s special education program and does not specify that the school will comply with the IDEA in relation to student discipline. The petition’s lack of information in this area indicates that the school will not appropriately serve special education students, which may result in liability to the authorizing entity.

- The petition lacks sufficient detail with regard to racial/ethnic balance, enrollment process and student discipline matters, which could result in discrimination and/or violations of due process. LACOE may be subject to liability if it knowingly allows the charter school to enact policies that do not provide appropriate due process or equitable access to students.

Preference to Academically Low Performing Students. [EC 47605(h)] Qualifies

Teacher Credentialing Requirement. [EC 47605(l)] Meets the condition

Transmission of Audit Report. [EC 47605(m)] Meets the condition
Re: Cancellation of Accord Services for the 2015-2016 School Year

Dear Dr. Bahceci,

This letter is to inform you that Magnolia Educational and Research Foundation and subsidiary charter schools will not be renewing the service contract for the 2015-2016 school year. Pursuant to Section 1 of the Accord/Client Service Agreement and the extension notice currently in place for FY 2014-2015, our organization will cease to use Accord services effective July 1, 2015.

Please note that our cancellation of services includes all current service agreements and “a la carte” services currently in place.

Please do not hesitate to contact me if you have any questions.

Respectfully,

Caprice Young, D.Ed.
Chief Executive Officer
Item VIII. Recommendations

C. Approve the Superintendent’s Recommendation to deny Renewal of the Charter for The New City School, Grades TK-8: Appeal of a Renewal Petition denied by the Long Beach Unified School District Board of Education

The Superintendent recommends that the Los Angeles County Board of Education (County Board) adopt the written findings of fact stated below and take action to deny the renewal petition for The New City School. The renewal petition was received on appeal following denial by the Long Beach Unified School District Board of Education (LBUSD Board).

Los Angeles County Board of Education Findings

The County Board evaluated The New City School’s past performance and renewal petition according to the criteria and procedures established in EC 47605(b), 47607(b), and California Code of Regulations Title 5 (5 CCR) section 11966.5, and made the following findings of fact for denial:

Finding 1: The charter school does not meet one (1) of the five (5) academic performance criteria specified in EC section 47607(b)(1-5) necessary to be considered for renewal.

The County Board determined that The New City School does not qualify for renewal under subsections (1-3) and (5) and confirmed the LBUSD Board’s finding that New City does not qualify for renewal under subsection (4).

Finding 2: The petition provides an unsound educational program for students to be enrolled in the school. [EC 47605(b)(1)]

Finding 3: The petitioners are demonstrably unlikely to successfully implement the proposed educational program. [EC 47605(b)(2)]

Finding 4: The petition does not contain an affirmation of all specified assurances. [EC 47605(b)(4); EC 47605(d)]

Finding 5: The petition does not contain a reasonably comprehensive description of all required elements. [EC 47605(b)(5)(A)-(P)]
The reasons for denial are based on Education Code (EC) sections 47607(a)(3)(A) and 47605(b) and the California Code of Regulations, Title 5 (5 CCR) section 11966.5(c) as follows:

EC 47607(a)(3)(A) states: The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.

The LBUSD Board considered increases in pupil academic achievement for all groups of pupils served by The New City School as the most important factor in determining whether to grant its renewal.

5 CCR 11966.5(c)(1-2) states:

(1) When considering a petition for renewal, the county board of education shall consider the past performance of the school’s academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement, if any.

(2) The county board of education may deny a petition for renewal of a charter school only if [it] makes written factual findings, specific to the particular petition, setting forth facts to support one or more of the grounds for denial set forth, as applicable, in EC 47605(b) or failure to meet one of the criteria set forth in EC section 47607(b).

EC 47605(b) limits reasons for denial to the following:

(1) The charter school presents an unsound educational program.

(2) The petitioners are demonstrably unlikely to successfully implement the program.

(3) The petition does not contain the required number of signatures. (*Not applicable to a renewal petition*)

(4) The petition does not contain an affirmation of specified assurances.

(5) The petition does not contain reasonably comprehensive descriptions of the required elements.

EC 47607(b) states: To be eligible for renewal, a charter school must meet one (1) of the following five (5) criteria:

(1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the charter school.
(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) (A) 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.

(5) Qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052.

The recommendation for denial is based on the written findings contained in the complete report on The New City School petition, which is attached to the Report Item dated February 3, 2015.
Board Meeting – February 10, 2015

Item IX.  Informational Items

A.  Governmental Relations

Dr. Delgado will provide an update on Governmental Relations.
Board Meeting – February 10, 2015

Item IX. Informational Items

B. Board Committee / Liaison Reports

Board members serving as Committee/Liaison representatives will report on their activities.
Board Meeting — February 10, 2015

Item IX. Informational Items

C. Los Angeles County Board of Education Meeting Schedule, Establishment of Meeting Times, Future Agenda Items, Follow up

Board meetings scheduled for 2014-2015 are listed on the following pages. The calendar is presented for discussion, to establish meeting times, and to receive Board members' requests for future agenda items.

This process will facilitate planning for Board meetings.
02/10/2015

LOS ANGELES COUNTY
BOARD OF EDUCATION
MEETING CALENDAR

<table>
<thead>
<tr>
<th>FEBRUARY 10 2015</th>
<th>FEBRUARY 17 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3:00 Board Meeting</strong></td>
<td><strong>2:00 Board Curriculum, Instruction and Assessment Committee Meeting</strong></td>
</tr>
<tr>
<td><strong>Rpt:</strong> Head Start-State Preschool Division Planning System</td>
<td><strong>Rpt:</strong> Head Start Budget Realignment</td>
</tr>
<tr>
<td><strong>Rpt:</strong> Report on Magnolia Science Academy-Bell, Grades 6-8: Appeal of a Non-Renewed Charter denied by Los Angeles Unified School District Board of Education</td>
<td><strong>Rpt:</strong> Report on the Alma Fuerte Public School, Grade K-8: Approval of the Extended School Year Funding Application (Year 2)</td>
</tr>
<tr>
<td><strong>Rec:</strong> Approval of Head Start-State Preschool Division Planning System</td>
<td><strong>Rec:</strong> Second Interim Report on the Financial Condition of the County Office</td>
</tr>
<tr>
<td><strong>Rec:</strong> Staff Findings and County Board Action to Approve the Superintendent’s Recommendation to deny Renewal of the Charter for the Magnolia Academy-Bell Charter School, Grades 6-8: Appeal of a Non-Renewed Charter denied by the Los Angeles Unified School District Board of Education</td>
<td><strong>Expulsion Appeal</strong></td>
</tr>
<tr>
<td><strong>Rec:</strong> Approve the Superintendent’s Recommendation to deny Renewal of the Charter for the New City School, Grades, TK-8: Appeal of a Renewed Petition denied by Long Beach Unified School District Board of Education</td>
<td><strong>Case # 1415-006 v. South Pasadena USD (Closed Session)</strong></td>
</tr>
<tr>
<td><strong>Interdistrict Attendance Appeals</strong></td>
<td><strong>Interdistrict Attendance Appeals</strong></td>
</tr>
<tr>
<td>1. <strong>Luna M. v. Los Angeles USD</strong></td>
<td>1. <strong>Janelly J. v. Montebello USD</strong>*(Spanish Interpreter)**</td>
</tr>
<tr>
<td>2. <strong>Carlotta M. v. Los Angeles USD</strong></td>
<td>2. <strong>Cierra B. v. Los Angeles USD</strong></td>
</tr>
<tr>
<td>*<strong>Pending Appeal Hearing</strong></td>
<td>8. <strong>Alexis P. v. Los Angeles USD</strong></td>
</tr>
<tr>
<td><strong>#1000 Schools List</strong></td>
<td>9. <strong>Randy P. v. Los Angeles USD</strong></td>
</tr>
<tr>
<td>AB – AB2444</td>
<td>10. <strong>Emily F. v. Los Angeles USD</strong></td>
</tr>
<tr>
<td>MARCH 3 2015</td>
<td>MARCH 10 2015</td>
</tr>
<tr>
<td><strong>2:00 Board Finance Committee Meeting</strong></td>
<td><strong>2:00 Board Policy Committee Meeting</strong></td>
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<tr>
<td><strong>3:00 Board Meeting</strong></td>
<td><strong>3:00 Board Meeting</strong></td>
</tr>
<tr>
<td><strong>Rpt:</strong> Report on the Alma Fuerte Public School, Grades K-8: Appeal of a Petition previously denied by Pasadena Unified School District Board of Education</td>
<td><strong>Presentation:</strong> Meeting of the Board/Superintendent/Personnel Commission</td>
</tr>
<tr>
<td><strong>Consent Rec/Bd. Res.:</strong> Adoption of Board Resolution No. 12: 2014-15, to establish a week during the Month of April as Public Schools Month</td>
<td><strong>Rpt:</strong> Head Start/Early Head Start 2015-16 Funding Application (Year 2)</td>
</tr>
<tr>
<td><strong>Rec:</strong> Approval/Denial of the Superintendent’s Recommendation for the Alma Fuerte Public School, Grades K-8: Appeal of a Petition to Establish a Charter previously denied by the Pasadena Unified School District Board of Education</td>
<td><strong>Rec:</strong> Second Interim Report on the Financial Condition of the County Office</td>
</tr>
<tr>
<td><strong>Interdistrict Attendance Appeals</strong></td>
<td><strong>Expulsion Appeal</strong></td>
</tr>
<tr>
<td>1. <strong>Jerry C. v. Montebello USD</strong> <em>(Mandarin Interpreter)</em></td>
<td><strong>Case # 1314-003 v. Culver City USD (Closed Session)</strong></td>
</tr>
<tr>
<td>2. <strong>Ryan Z. v. Montebello USD</strong> <em>(Mandarin Interpreter)</em></td>
<td><strong>MARCH 17 2015</strong></td>
</tr>
<tr>
<td>3. <strong>Janelly J. v. Montebello USD</strong> <em>(Spanish Interpreter)</em></td>
<td><strong>2:00 Board Curriculum, Instruction and Assessment Committee Meeting</strong></td>
</tr>
<tr>
<td>4. <strong>Diana J. v. Montebello USD</strong> <em>(Spanish Interpreter)</em></td>
<td><strong>3:00 Board Meeting</strong></td>
</tr>
<tr>
<td>5. <strong>Brandon Jimenez v. Montebello USD</strong> <em>(Spanish Interpreter)</em></td>
<td><strong>Presentation:</strong> Recognition of the winners of the Los Angeles County Office of Education’s Ninth Annual Student Art Exhibition, and the Eighth Annual Los Angeles County Regional Poetry Out Loud Competition</td>
</tr>
<tr>
<td>6. <strong>Nathalie O. v. Los Angeles USD</strong> <em>(Spanish Interpreter)</em></td>
<td><strong>Consent Rec:</strong> Approval of the Extended School Year Calendar for Educational Programs Division of Special Education</td>
</tr>
<tr>
<td>7. <strong>Rosa R. v. Los Angeles USD</strong> <em>(Spanish Interpreter)</em></td>
<td><strong>Rec:</strong> Second Interim Report on the Financial Condition of the County Office</td>
</tr>
<tr>
<td>8. <strong>Christian J. v. Los Angeles USD</strong></td>
<td><strong>Expulsion Appeal</strong></td>
</tr>
<tr>
<td>9. <strong>Itay R. v. Los Angeles USD</strong></td>
<td><strong>Rec:</strong> Approval of Head Start- Early Head Start 2015-16 Funding Application (Year 2)</td>
</tr>
<tr>
<td>10. <strong>Gabriel Q. v. Los Angeles USD</strong></td>
<td><strong>Expulsion Appeal</strong></td>
</tr>
<tr>
<td>11. <strong>Victoria O. v. Los Angeles USD</strong></td>
<td>1. <strong>Case # 1314-003 v. Culver City USD (Closed Session)</strong></td>
</tr>
<tr>
<td>12. <strong>Kai J. v. Los Angeles USD</strong></td>
<td>2. <strong>Case # 1314-003 v. South Pasadena USD (Closed Session)</strong></td>
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*Pending Appeal Hearing

#1000 Schools List
AB – AB2444

2/10/15
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<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Meeting Type</th>
<th>Presentation/Approval</th>
<th>Notes</th>
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<tr>
<td>APRIL 7</td>
<td>2:00</td>
<td>Finance Committee Meeting</td>
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<td>2015 Los Angeles County Academic Decathlon Winners</td>
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<tr>
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<td>3:00</td>
<td>Board Meeting</td>
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<td>Recognition of the 2014-15 Winners of the 10th Annual Los Angeles County Spelling Bee</td>
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<td>Public Hearing</td>
<td>Disposal of Textbooks and Instructional Materials for Educational Programs School Sites</td>
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<tr>
<td></td>
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<td>Consent Rec</td>
<td>Approval of the Extended School Year Calendar for the Division of Special Education (DSE)</td>
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<tr>
<td></td>
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<td>Rec</td>
<td>Approval of Educational Programs 2014-15 Textbooks and Instructional Materials Disposal List</td>
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<tr>
<td>APRIL 14</td>
<td>2:00</td>
<td>Audit Committee Meeting</td>
<td></td>
<td>Recognition of 2015 Science Competition</td>
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<td></td>
<td>3:00</td>
<td>Board Meeting</td>
<td></td>
<td>and Events</td>
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<td>Rpt: Los Angeles County Office of Education’s Proposed 2015-16 Budget</td>
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<td>Rpt: Uniform Complaint Procedure Quarterly Report for Educational Programs, January 1 to March 31, 2015</td>
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<tr>
<td>MAY 5</td>
<td>2:00</td>
<td>Finance Committee Meeting</td>
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<td>Career Technical Education (CTE) Student Recognition Presentation</td>
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<td>3:00</td>
<td>Board Meeting</td>
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<td>Day of the Teacher 2015</td>
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<td>Consent Rec</td>
<td>Adoption of Board Resolution No. ___ to recognize May __, 2015, as National School Nurse Day</td>
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<tr>
<td>MAY 12</td>
<td>3:00</td>
<td>Board Meeting</td>
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<td>Classified Employees Week</td>
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<td>Rpt</td>
<td>Los Angeles County Office of Education’s Proposed 2015-16 Budget</td>
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<td>Rpt</td>
<td>Self-Assessment &amp; Program Improvement Plan (HS)</td>
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<td>MAY 19</td>
<td>2:00</td>
<td>Board Committee Meeting</td>
<td>Juvenile Court Schools 2015 Academic Bowl</td>
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<td>Board Meeting</td>
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<td>Approval of Self-Assessment &amp; Program Improvement Plan HS</td>
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<tr>
<td>JUNE 2</td>
<td>2015</td>
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<td>2:00 Board Finance Committee Meeting</td>
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<tr>
<td>3:00 Board Meeting</td>
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<tr>
<td><strong>Presentation:</strong> History Day Awards 2015</td>
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<tr>
<td><strong>Consent Rec:</strong> Approval of Annual Distribution of United States Forest Reserve Funds</td>
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<tr>
<td><strong>Rec:</strong> Adoption of Board Resolution No. ___: Short Term Cash Loans to School Districts in Los Angeles County</td>
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<tr>
<td><strong>Rec:</strong> Approval of the Los Angeles County Board of Education Schedule, 2015-2016, Establishment of meeting times, future agenda items, follow up</td>
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<table>
<thead>
<tr>
<th>JUNE 9</th>
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<tr>
<td>2:00 Board Policy Committee Meeting</td>
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<tr>
<td>3:00 Board Meeting</td>
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<tr>
<td><strong>Presentation:</strong> Annual Service Awards</td>
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<tr>
<td><strong>Public Hearing:</strong> Local Control Accountability Plan (LCAP)</td>
<td></td>
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<tr>
<td><strong>Public Hearing:</strong> Adoption of 2015-16 Proposed Budget</td>
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<tr>
<td><strong>Rpt:</strong> Proposed 2015-16 Budget First Reading</td>
<td></td>
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<tr>
<td><strong>Rec:</strong> Adoption of Resolution No. __ Education Protection Act</td>
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<th>JUNE 16</th>
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<tr>
<td>2:00 Board Curriculum, Instruction and Assessment Committee Meeting</td>
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<tr>
<td>3:00 Board Meeting</td>
<td></td>
</tr>
<tr>
<td><strong>Rec:</strong> Adoption of Local Control Accountability Plan (LCAP)</td>
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<tr>
<td><strong>Rec:</strong> Adoption of 2015-16 Proposed Budget</td>
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2/10/15
<table>
<thead>
<tr>
<th>NO.</th>
<th>BD DATE</th>
<th>BOARD MEMBER</th>
<th>ISSUE</th>
<th>STATUS</th>
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<tbody>
<tr>
<td>1.</td>
<td>3</td>
<td>Dr. Reisler</td>
<td>Suggested that any future charter school Reports/Recommendations be on the Board agenda on the same day.</td>
<td>Completed</td>
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</tbody>
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