



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## Board of Education Report

<b>Report Number:</b>	131-10/11
<b>Date:</b>	January 4, 2011
<b>Subject:</b>	Denial of the Charter Petition for West Athens Charter High School
<b>Responsible Staff:</b>	
Name	José J. Cole-Gutiérrez, Director, Charter Schools
Office/Division	Innovation and Charter Schools Division
Telephone No.	(213) 241-2487

### BOARD REPORT

**Action Proposed:** Staff recommends the following action:  
  
Denial of the Charter Petition for West Athens Charter High School.

**Background:** Staff proposes that the Board of Education deny the charter petition for West Athens Charter High School on the grounds that the petitioners are demonstrably unlikely to successfully implement the program, and the petition does not contain reasonably comprehensive descriptions of the required elements as set forth in Education Code section 47605 (b)(5)(A)-(P). It is also recommended that the Board of Education adopt the Findings of Fact supporting the recommendation on file in the Innovation and Charter Schools Division and attached to this board report.

On October 25, 2010, a petition was resubmitted to establish West Athens Charter High School with 100 students in grades 9-11 and expanding to 300 students in grades 9-12 with the school's proposed location at or near 8825 S. Vermont Avenue, Los Angeles in Local District 8, Board District 1. The Innovation and Charter Schools Division reviewed the charter petition, performed due diligence, and found that the petitioners are demonstrably unlikely to successfully implement the program and the petition lacked reasonably comprehensive descriptions of elements set forth in Education Code section 47605(b)(5)(A)-(P).

Education Code section 47605(b) sets forth grounds for denying a charter petition:



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"The governing board of the school district shall not deny a petition for the establishment of a charter school unless it

makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school;
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;
- (3) The petition does not contain the number of signatures required by subdivision 47605(a).
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d) of section 47605; or
- (5) The petition does not contain reasonably comprehensive descriptions of all of the sixteen elements set forth in section 47605(b)(5).

Subsequent to the petitioner's request for a public hearing before the Board of Education, elements 4-16 were reviewed by the Superintendent's Advisory Committee and the Office of General Counsel. Elements 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16 were found to be not reasonably comprehensive. Detailed reviews of the charter petition are submitted in the Finding of Facts accompanying this Board Report.

The petition is available for perusal in the Innovation and Charter Schools Division.

**Expected Outcomes:** Denial will prevent the establishment of West Athens Charter High School as an LAUSD authorized charter school at this time.

**Board Options and Consequences:** "Yes" – The approval of the denial of the charter of West Athens Charter School would prevent the establishment of West Athens Charter High School as a charter school, unless West Athens Charter High School appeals the denial and the appeal is granted by the Los Angeles County Board of Education or California State Board of Education.



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“No” – The failure to deny the charter of West Athens Charter High School could allow West Athens Charter High School to operate as a LAUSD authorized charter school.

- Policy Implications:** The Policy for Charter Schools adopted in 2010.
- Budget Impact:** State Revenue Limit income and various other income sources to the District are reduced when current District students enroll at a charter school, and comparable or offsetting expenditure savings may not occur in such cases. Under Education Code section 47604(c), a school district that grants a charter to or operates a charter school that is formed as a non-profit public benefit corporation is not held liable for the charter school’s debts or obligations as long as the school district complies with all oversight responsibilities. The District will continue to have monitoring and supervisory responsibility for charter school finances, as specified in the Charter Schools Act. Any modifications to the charter school’s petition or operations with significant financial implications would require District approval prior to implementation. Petition approval is also contingent upon adequate liability insurance coverage.
- Issues and Analysis:** Issues are outlined above and in more detail in the attached Findings of Fact for the Denial of West Athens Charter Petition pursuant to Education Code section 47605(b).

### **Attachments:**

- Informative
- Desegregation  
Impact Statement



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## Board of Education Report

Respectfully submitted,

APPROVED BY:

RAMON C. CORTINES  
Superintendent of Schools

MICHELLE KING  
Chief of Staff

APPROVED & PRESENTED BY:

REVIEWED BY:

JOSÉ J. COLE-GUTIÉRREZ  
Director, Charter Schools  
Innovation and Charter Schools Division

DAVID HOLMQUIST  
General Counsel

Approved as to form.

YUMI TAKAHASHI  
Budget Director

Approved as to budget impact statement.

# **FINAL PETITION**

The final petition is available for perusal in the Innovation and Charter Schools Division at 333 South Beaudry Avenue, 25<sup>th</sup> Floor Los Angeles, CA 90017 (213) 241-2487

# West Athens Charter High School Five Year Budget Projections

## Sheet 1: Budget Summary

Revenues	# of students	100	150	200	250	300
	# of students @ 95% attendance rate	95	143	190	238	285
		<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
		<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
	average ADA per student	\$5,877	\$6,053	\$6,235	\$6,422	\$6,615
General Purpose Entitlement (ADA) + 3% annual COLA increase	558,315	862,597	1,184,633	1,525,215	1,885,165	
Categorical Block Grant @ \$400 per student + 3% annual COLA increase	38,000	57,012	76,024	95,036	114,048	
Other State/Federal Revenues	120,900	207,940	272,480	449,520	476,560	
<b>Total Gross Revenues</b>	<b>\$717,215</b>	<b>\$1,127,549</b>	<b>\$1,533,137</b>	<b>\$2,069,771</b>	<b>\$2,475,773</b>	
Average Per Pupil Funding	\$7,550	\$7,913	\$8,069	\$8,715	\$8,687	

(Note: all figures in lines 8 - 12, columns C - G are calculated @ 95% attendance rate)

## Expenditures

Certificated Salaries (Teachers)	135,000	250,000	385,000	540,000	715,000
Certificated Salaries (Director/Principal)	80,000	85,000	90,000	95,000	100,000
Non-Certificated Salaries (Para-Educators)	50,000	82,500	120,000	162,500	210,000
Non-Certificated Salaries (Office Mgr/Secretary)	25,000	25,750	26,523	27,318	28,138
<b>Sub Total</b>	<b>290,000</b>	<b>443,250</b>	<b>621,523</b>	<b>824,818</b>	<b>1,053,138</b>
Retirement and Benefits	72,196	105,260	143,354	183,648	197,868
Books, Supplies, furniture & Technology (lease-purchase)	146,500	37,750	37,750	37,750	37,750
Utilities	18,000	18,540	19,096	19,669	20,259
Operating	12,000	12,360	12,731	13,113	13,506
Professional Services	49,672	83,275	99,831	117,698	134,258
Facility Lease	85,000	80,000	80,000	80,000	80,000
Facility Preparation	5,000	25,000	25,000	25,000	25,000
<b>Sub Total</b>	<b>388,368</b>	<b>362,185</b>	<b>417,762</b>	<b>476,877</b>	<b>508,641</b>
<b>Total Expenditures</b>	<b>678,368</b>	<b>805,435</b>	<b>1,039,285</b>	<b>1,301,696</b>	<b>1,561,778</b>
Surplus/Deficit	38,847	322,114	493,852	768,075	913,995
PY Carry-Forward	0	38,847	360,961	854,812	1,622,888
<b>Total Surplus/Deficit</b>	<b>38,847</b>	<b>360,961</b>	<b>854,812</b>	<b>1,622,888</b>	<b>2,536,883</b>

## Sheet 2: Student Data Assumptions

Notes	# of students	100	150	200	250	300
	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	
	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	

### Enrollment by Grade

Grade 9		33	50	84	83	83
Grade 10		33	33	50	84	83
Grade 11		34	33	33	50	84
Grade 12		0	34	33	33	50
<b>Total Enrollment</b>		<b>100</b>	<b>150</b>	<b>200</b>	<b>250</b>	<b>300</b>
<b>Daily ADA -5% Absence</b>		<b>95</b>	<b>143</b>	<b>190</b>	<b>238</b>	<b>285</b>
<b>Attendance %</b>		95%	95%	95%	95%	95%

### Daily Attendance Rate

Per Student ADA Grades 9-12	2010-11 rates per Charter School Development Center	\$5,877	\$6,053	\$6,235	\$6,422	\$6,615
ADA Total Grades 9-12		\$393,759	\$907,997	\$1,246,982	\$1,605,489	\$1,984,385

### Free/Reduced Price Lunch

Free Lunch	% of overall students	42%	42%	42%	42%	42%
Reduced Price Lunch	% of overall students	42%	42%	42%	42%	42%
# of Students	# of free/reduced priced eligible students	<b>84</b>	<b>126</b>	<b>168</b>	<b>210</b>	<b>252</b>

### English Language Learners

% of ELL Students		20%	20%	20%	20%	20%
# of ELL Students		<b>20</b>	<b>30</b>	<b>40</b>	<b>50</b>	<b>60</b>

### Sheet 3: Staffing and Personnel Data

#### Staff Counts and Ratios

	Year 1	Year 2	Year 3	Year 4	Year 5
	2011-12	2012-13	2013-14	2014-15	2015-16
# of Students	100	150	200	250	300

#### 1000 - Certificated and Instructional

Student to Teacher Ratio		25	25	25	25	25
Teachers		3	5	7	9	11
Principal/Teacher		1	1	1	1	1
<b>Total Certificated Full Time Employees</b>		<b>4</b>	<b>6</b>	<b>8</b>	<b>10</b>	<b>12</b>

#### 2000 - Non-Certificated

2100 - Para-Educators (instructional aides)		2	3	4	5	6
2300 - Office Manager/Secretary		1	1	1	1	1
<b>Total Non-Certificated Full Time Employees</b>		<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>

Total # of Employees	<b>7</b>	<b>10</b>	<b>13</b>	<b>16</b>	<b>19</b>
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#### Salary and Benefit Assumptions

Teachers (average)		\$45,000	\$50,000	\$55,000	\$60,000	\$65,000
Principal/School Director		\$80,000	\$85,000	\$90,000	\$95,000	\$100,000
Para-Educators (average)		\$25,000	\$27,500	\$30,000	\$32,500	\$35,000
Office Manager/Secretary (average)		\$25,000	\$25,750	\$26,523	\$27,318	\$28,138
Certificated Retirement, Mandatory Benefits, Health (% of salary)		24.9%	25.6%	26.4%	27.2%	28.0%
Non-Certificated Retirement, Mandatory Benefits, Health (% of salary)		24.9%	25.6%	26.4%	27.2%	28.0%

## Sheet 4: Federal/State ADA & Supplemental Programs

(Note: Data is for 09-10 school year and were supplied by California Charter School Association)

Year 1	Year 2	Year 3	Year 4	Year 5
2011-12	2012-13	2013-14	2014-15	2015-16

State	Notes					
General Purpose, Grades 9-12	per ADA	\$5,877	\$6,053	\$6,235	\$6,422	\$6,615
Categorical Block Grant (All Grades)	per ADA	\$400	\$500	\$500	\$500	\$500
Lottery	prior year ADA	NA	\$156	\$161	\$166	\$170
Supplemental Hourly Instruction, CAHSEE	per hour of instruction	NA	4.14	4.26	4.39	4.52
Supplemental Hourly Instruction, 7-9 retained	per hour of instruction	4.14	4.26	4.39	4.52	4.66
Supplemental Hourly Instruction, core subjects	per hour of instruction	4.14	4.26	4.39	4.52	4.66

### Federal

Title I - Compensatory Education	per Free/Reduced Price Lunch Enrollment	4.36	4.49	4.62	4.75	4.88
Title 2 - Staff Development	per ADA	2.31	2.38	2.45	2.52	2.59
Title 2 - Piggyback Funds	1.8% of Title I, per ADA	7.86	8.08	8.32	8.55	8.75
Title 4 - Save and Drug Free Schools	per ADA	4.11	4.23	4.35	4.47	4.59

**Sheet 5: Revenues**

		Year 1	Year 2	Year 3	Year 4	Year 5
		2011-12	2012-13	2013-14	2014-15	2015-16
# of students		100	150	200	250	300
General Purpose	@ 3% annual increase	\$547,700	\$832,997	\$1,146,982	\$1,480,489	\$1,774,385
Categorical Block Grant	@ \$400 per student	40,000	75,000	100,000	125,000	210,000
Lottery	not applicable until year 2 @ \$125 per student	0	18,750	25,000	31,250	37,500
Supplemental Hourly Instruction, CAHSEE	20% of 10-12 graders @ \$600 per student	7,200	8,640	10,080	11,520	12,960
Supplemental Hourly Instruction, core subjects	25% of students @ 1 hr per day @ \$3.70 per hr for 200 days	18,500	27,750	37,000	46,250	55,500
SB 740 Rent Reimbursement Program	School located in deprived elementary school district	75,000	112,500	150,000	300,000	300,000
English Language Acquisition Program	10% English Language Learners (ELL) @ \$100 ea.	1,000	1,500	2,000	2,500	3,000
Middle and HS Supplemental School Counseling Program	not applicable until year 2 based on prior year enrollment	0	10,000	10,000	10,000	10,000
<b>Subtotal State Revenues</b>		<b>\$689,400</b>	<b>\$1,087,137</b>	<b>\$1,481,062</b>	<b>\$2,007,009</b>	<b>\$2,403,345</b>

**Federal**

Title I - Compensatory Education	40% of students qualify for free or reduced price meals @ \$450 per student	18,000	27,000	36,000	45,000	54,000
Title 2 - Staff Development	40% of students qualify for free or reduced price meals @ \$30 per student	1,200	1,800	2,400	3,000	3,600
<b>Subtotal Federal Revenues</b>		<b>19,200</b>	<b>28,800</b>	<b>38,400</b>	<b>48,000</b>	<b>57,600</b>

<b>TOTAL REVENUES</b>		<b>708,600</b>	<b>1,115,937</b>	<b>1,519,462</b>	<b>2,055,009</b>	<b>2,460,945</b>
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## Sheet 6: Personnel Expenditures

		Year 1	Year 2	Year 3	Year 4	Year 5
		2011-12	2012-13	2013-14	2014-15	2015-16
<b>Certificated Salaries</b>	<b>Notes</b>					
Teachers		135,000	250,000	385,000	540,000	715,000
Principal/Teacher		80,000	85,000	90,000	95,000	100,000
<b>1100 Subtotal</b>		<b>215,000</b>	<b>335,000</b>	<b>475,000</b>	<b>635,000</b>	<b>815,000</b>
	Percent of Total Revenue	30.3%	30.0%	31.3%	30.9%	33.1%

<b>Non-Certificated Salaries</b>						
Instructional Aides (Para-Educator)		50,000	82,500	120,000	162,500	210,000
Secretary/Clerk		25,000	25,750	30,000	27,318	28,138
<b>Subtotal</b>		<b>75,000</b>	<b>108,250</b>	<b>150,000</b>	<b>189,818</b>	<b>238,138</b>
	Percent of Total Revenue	10.6%	9.7%	9.9%	9.2%	9.7%

<b>TOTAL ALL SALARIES</b>		<b>290,000</b>	<b>443,250</b>	<b>625,000</b>	<b>824,818</b>	<b>1,053,138</b>
	Percent of Total Revenue	40.9%	39.7%	41.1%	40.1%	42.8%

Certificated Retirement & Benefits	20% of salary	43,000	67,000	95,000	127,000	163,000
Non- Certificated Retirement & Benefits	"	15,000	21,650	30,000	37,964	47,628
<b>Subtotal Retirement, Benefits &amp; Taxes</b>		<b>58,000</b>	<b>88,650</b>	<b>125,000</b>	<b>164,964</b>	<b>210,628</b>
	Percent of Total Revenue	8.2%	7.9%	8.2%	8.0%	8.6%

<b>TOTAL ALL SALARIES AND BENEFITS</b>		<b>348,000</b>	<b>531,900</b>	<b>750,000</b>	<b>989,782</b>	<b>1,263,765</b>
	Percent of Total Revenue	49.1%	47.7%	49.4%	48.2%	51.4%

**Sheet 7: Operating Expenditures**

		Year 1	Year 2	Year 3	Year 4	Year 5
		2011-12	2012-13	2013-14	2014-15	2015-16
<b>4000 - Books, Supplies &amp; Technology</b>	# of new students	100	25	25	25	25
Textbooks	\$100 per new enrollment	10,000	2,500	2,500	2,500	2,500
Instr. Materials and Supplies	\$50 per new enrollment	5,000	1,250	1,250	1,250	1,250
Computer HW/SW @ \$800 per new student	unit to student ratio: 1:1	80,000	20,000	20,000	20,000	20,000
Fixtures, Furniture & Equipment (FF&E)	\$500 per new enrollment	50,000	12,500	12,500	12,500	12,500
Cleaning Supplies		1,000	1,000	1,000	1,000	1,000
Postage and Shipping		500	500	500	500	500
<b>Subtotal</b>		<b>146,500</b>	<b>37,750</b>	<b>37,750</b>	<b>37,750</b>	<b>37,750</b>
Percent of Total Revenues		20.67%	3.38%	2.48%	1.84%	1.53%
<b>5000 - Utilities</b>						
Electricity	3% annual increase	12,000	12,360	12,731	13,113	13,506
Gas/Propane	"	2,500	2,575	2,652	2,732	2,814
Water	"	1,000	1,030	1,061	1,093	1,126
Telephone/Internet	"	2,500	2,575	2,652	2,732	2,814
<b>Subtotal</b>		<b>18,000</b>	<b>18,540</b>	<b>19,096</b>	<b>19,669</b>	<b>20,259</b>
Percent of Total Revenues		2.54%	1.66%	1.26%	0.96%	0.82%
<b>5000 - Operating</b>						
5200 - Travel and Conferences	3% annual increase	2,500	2,575	2,652	2,732	2,814
5300 - Dues and Memberships	"	1,500	1,545	1,591	1,639	1,688
5400 - Insurance	"	2,500	2,575	2,652	2,732	2,814
5800 - Printing and Reproduction	"	500	515	530	546	563
5800 - Staff Training and Development	"	2,500	2,575	2,652	2,732	2,814
5800 - Student Testing and Assessment	"	2,500	2,575	2,652	2,732	2,814
<b>Subtotal</b>		<b>12,000</b>	<b>12,360</b>	<b>12,731</b>	<b>13,113</b>	<b>13,506</b>
Percent of Total Revenues		1.69%	1.11%	0.84%	0.64%	0.55%

West Athens Charter High School Budget

Sheet 8: Operating Expenditures (continued)

		2011-12	2012-13	2013-14	2014-15	2015-16
		Year 1	Year 2	Year 3	Year 4	Year 5
<b>5000 - Professional Services</b>						
5100 - Advertising		2,500	2,500	2,500	2,500	2,500
5100 - Legal & Insurance		10,000	20,000	20,000	20,000	20,000
5100 - Audit		5,000	12,000	12,000	12,000	12,000
5100 - Special Education Services	provided by LAUSD	25,000	37,500	50,000	62,500	75,000
5100 - District Oversight Fee @ 1% of revenue	to LAUSD	7,172	11,275	15,331	20,698	24,758
<b>Subtotal, Professional Services</b>		<b>49,672</b>	<b>83,275</b>	<b>99,831</b>	<b>117,698</b>	<b>134,258</b>
	Percent of Total Revenues	6.9%	7.4%	6.5%	5.7%	5.4%
<b>5000 - Facilities</b>						
5600 - Rent/Lease		75,000	75,000	75,000	75,000	75,000
Facility preparation		5,000	0	0	0	0
5800 - Security Services		5,000	5,000	5,000	5,000	5,000
<b>Subtotal, Facilities</b>		<b>85,000</b>	<b>80,000</b>	<b>80,000</b>	<b>80,000</b>	<b>80,000</b>
	Percent of Total Revenues	11.9%	7.1%	5.2%	3.9%	3.2%
<b>TOTAL OPERATING EXPENDITURES</b>						
	Percent of Total Revenues	<b>43.4%</b>	<b>20.6%</b>	<b>16.3%</b>	<b>13.0%</b>	<b>11.5%</b>

## Sheet 9: Supplemental Hourly Programs

		Year 1	Year 2	Year 3	Year 4	Year 5
		2011-12	2012-13	2013-14	2014-15	2015-16
# of Students		100	150	200	250	300
Number of students projected of needing service (10% of enrollment)		10	15	20	25	30
Estimated Student Hours	Assuming 1 hr per day per student for 60 days	600	900	1200	1500	1800
Projected ADA	Revenue derived from program @ \$4.08 per student hour	\$2,448	\$3,672	\$4,896	\$6,120	\$7,344

### Grades 6-9 Retained or Recommended for Retention

Number of students projected of needing service (10% of enrollment)		10	15	20	25	30
Potentially eligible	all students in grade 9	25	50	50	50	50
Estimated Student Hours	Assuming 1 hr per day per student for 60 days	600	900	1200	1500	1800
Projected ADA	Revenue derived from program @ \$4.08 per student hour	\$2,448	\$3,672	\$4,896	\$6,120	\$7,344

### Core Subjects Supplemental Instruction

Number of students projected of needing service (10% of enrollment)		10	0	0	0	0
Potentially eligible	all students	100	150	200	250	300
Estimated Student Hours	Assuming 1 hr per day per student for 60 days	600	900	1200	1500	1800
Projected ADA	Revenue derived from program @ \$4.08 per student hour	\$2,448	\$3,672	\$4,896	\$6,120	\$7,344

### Total Revenues and Expenditures

Total estimated student hours		1,800	2700	3600	4500	5400
Revenue per student-hour, CAHSEE		\$490	\$1,224	\$2,693	\$3,917	\$4,651
Revenue per student-hour 6-9 retained		\$1,567	\$3,917	\$6,267	\$6,267	\$6,267
Revenue per student-hour, core subject		\$1,958	\$5,092	\$9,009	\$10,184	\$10,967
<b>Total Revenues</b>		<b>\$4,015</b>	<b>\$10,233</b>	<b>\$17,969</b>	<b>\$20,368</b>	<b>\$21,885</b>

## Sheet 10: Employee Benefit Expense Details

Notes		Year 1	Year 2	Year 3	Year 4	Year 5
		2011-12	2012-13	2013-14	2014-15	2015-16
Assumed overall salaries		290,000	443,250	625,000	824,818	815,000
<b>Mandatory Benefits</b>	# of Teachers + Principal/Teacher	4	6	8	10	12
Social Security or STRS	Average 7.25% of salary	21,025	32,136	45,313	59,799	59,088
Medicare	1.45% of salary	4,205	6,427	9,063	11,960	11,818
State Disability Insurance	.9% of salary	2,610	3,989	5,625	7,423	7,335
Workers' Comp	3% of salary	8,700	13,298	18,750	24,745	24,450
Unemployment Insurance	3.4% of first \$7,000 of salary	1,666	2,380	3,094	3,808	4,522
Employment Training Tax	1% of first \$7,000 of salary	490	700	910	1,120	1,330
<b>Subtotal</b>		<b>\$38,696</b>	<b>\$58,930</b>	<b>\$82,754</b>	<b>\$108,855</b>	<b>\$108,542</b>
% of salaries		13.34%	13.29%	13.24%	13.20%	13.32%
Total # of Employees		<b>7</b>	<b>10</b>	<b>13</b>	<b>16</b>	<b>19</b>
<b>Health and Retirement</b>						
Health	\$350 per employee per month - assume mix ages	24,500	42,000	54,600	67,200	79,800
Retirement, classified	4% employer contribution via 403b plan	9,000	4,330	6,000	7,593	9,526
<b>Subtotal</b>		<b>\$33,500</b>	<b>\$46,330</b>	<b>\$60,600</b>	<b>\$74,793</b>	<b>\$89,326</b>
% of salaries		11.55%	10.45%	9.70%	9.07%	10.96%
<b>Total Employee Benefit Expenses</b>		<b>\$72,196</b>	<b>\$105,260</b>	<b>\$143,354</b>	<b>\$183,648</b>	<b>\$197,868</b>
% of salaries		24.90%	23.75%	22.94%	22.27%	24.28%



# West Athens Charter High School Three Year Monthly Budget Projections

## School Year 2011-2012

	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.
Travel and Conferences	0	0	0	1,250	0	0	0	0	0	1,250	0	0
Dues and Memberships	0	1,500	0	0	0	0	0	0	0	0	0	0
Insurance	0	0	250	250	250	250	250	250	250	250	250	250
Printing and Reproduction	0	0	50	50	50	50	50	50	50	50	50	50
Staff Training and Development	0	0	1,250	0	0	0	0	1,250	0	0	0	0
Student Testing and Assessment	0	0	1,250	0	0	0	0	1,250	0	0	0	0
<b>Total Operating</b>	<b>0</b>	<b>1,500</b>	<b>2,800</b>	<b>1,550</b>	<b>300</b>	<b>300</b>	<b>300</b>	<b>2,800</b>	<b>300</b>	<b>1,550</b>	<b>300</b>	<b>300</b>
<b>Utilities</b>												
Electricity	0	0	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
Gas/Propane	0	0	250	250	250	250	250	250	250	250	250	250
Water	0	0	100	100	100	100	100	100	100	100	100	100
Telephone/Internet	0	0	250	250	250	250	250	250	250	250	250	250
<b>Total Utilities</b>	<b>0</b>	<b>0</b>	<b>1,800</b>	<b>1,800</b>	<b>1,800</b>	<b>1,800</b>	<b>1,800</b>	<b>1,800</b>	<b>1,800</b>	<b>1,800</b>	<b>1,800</b>	<b>1,800</b>
<b>Professional Services</b>												
Advertising	0	1,250	0	0	0	0	0	0	0	1,250	0	0
Legal & Insurance	0	0	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Audit	0	0	0	0	0	2,500	0	0	0	0	2,500	0
Special Education Services	0	0	0	0	0	12,500	0	0	0	0	12,500	0
District Oversight Fee	0	0	0	0	0	3,586	0	0	0	0	3,586	0
<b>Total Professional Services</b>	<b>0</b>	<b>1,250</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>	<b>19,586</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>	<b>2,250</b>	<b>19,586</b>	<b>1,000</b>
<b>Facility</b>												
Rent/lease	0	0	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500
Facility Preparation	0	0	5,000	0	0	0	0	0	0	0	0	0
Security Service	0	0	500	500	500	500	500	500	500	500	500	500
<b>Total Facilities &amp; Capital</b>	<b>0</b>	<b>0</b>	<b>13,000</b>	<b>8,000</b>	<b>8,000</b>	<b>8,000</b>	<b>8,000</b>	<b>8,000</b>	<b>8,000</b>	<b>8,000</b>	<b>8,000</b>	<b>8,000</b>
<b>Total Expenditures</b>	<b>0</b>	<b>14,525</b>	<b>68,791</b>	<b>62,541</b>	<b>61,291</b>	<b>79,878</b>	<b>61,291</b>	<b>63,791</b>	<b>61,291</b>	<b>63,791</b>	<b>79,878</b>	<b>61,291</b>
<b>Monthly Surplus (Deficit)</b>	<b>0</b>	<b>50,677</b>	<b>(3,590)</b>	<b>2,660</b>	<b>3,910</b>	<b>(14,676)</b>	<b>3,910</b>	<b>1,410</b>	<b>3,910</b>	<b>1,410</b>	<b>(14,676)</b>	<b>3,910</b>
<b>PM Carry Forward (Reserve)</b>	<b>0</b>	<b>0</b>	<b>50,677</b>	<b>47,086</b>	<b>49,746</b>	<b>53,656</b>	<b>38,980</b>	<b>42,890</b>	<b>44,300</b>	<b>48,210</b>	<b>49,620</b>	<b>34,943</b>
<b>Total Reserve</b>	<b>0</b>	<b>\$50,677</b>	<b>\$47,086</b>	<b>\$49,746</b>	<b>\$53,656</b>	<b>\$38,980</b>	<b>\$42,890</b>	<b>\$44,300</b>	<b>\$48,210</b>	<b>\$49,620</b>	<b>\$34,943</b>	<b>\$38,853</b>



**School Year 2012-2013**

	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.
Staff Training and Development	0	1,288	0	0	0	0	0	1,288	0	0	0	0
Student Testing and Assessment			1,288					1,288				
<b>Total Operating</b>	<b>258</b>	<b>3,090</b>	<b>1,545</b>	<b>1,545</b>	<b>258</b>	<b>258</b>	<b>258</b>	<b>2,833</b>	<b>258</b>	<b>1,545</b>	<b>258</b>	<b>258</b>
<b>Utilities</b>												
Electricity	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030	1,030
Gas/Propane	215	215	215	215	215	215	215	215	215	215	215	215
Water	86	86	86	86	86	86	86	86	86	86	86	86
Telephone/Internet	215	215	215	215	215	215	215	215	215	215	215	215
<b>Total Utilities</b>	<b>1,545</b>	<b>1,545</b>	<b>1,545</b>	<b>1,545</b>	<b>1,545</b>	<b>1,545</b>	<b>1,545</b>	<b>1,545</b>	<b>1,545</b>	<b>1,545</b>	<b>1,545</b>	<b>1,545</b>
<b>Professional Services</b>												
Advertising	0	0	0	0	0	0	0	0	0	10,000	0	0
Legal & Insurance	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667
Audit	0	0	0	0	0	2,500	0	0	0	0	2,500	0
Special Education Services	3,125	3,125	3,125	3,125	3,125	3,125	3,125	3,125	3,125	3,125	3,125	3,125
District Oversight Fee	940	940	940	940	940	940	940	940	940	940	940	940
<b>Total Professional Services</b>	<b>5,731</b>	<b>5,731</b>	<b>5,731</b>	<b>5,731</b>	<b>5,731</b>	<b>8,231</b>	<b>5,731</b>	<b>5,731</b>	<b>5,731</b>	<b>15,731</b>	<b>8,231</b>	<b>5,731</b>
<b>Facility</b>												
Rent/lease	6,250	6,250	6,250	6,250	6,250	6,250	6,250	6,250	6,250	6,250	6,250	6,250
Security Service	417	417	417	417	417	417	417	417	417	417	417	417
<b>Total Facilities &amp; Capital</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>
<b>Total Expenditures</b>	<b>65,098</b>	<b>67,930</b>	<b>66,385</b>	<b>66,385</b>	<b>65,098</b>	<b>67,598</b>	<b>65,098</b>	<b>67,673</b>	<b>65,098</b>	<b>76,385</b>	<b>67,598</b>	<b>65,098</b>
<b>Monthly Surplus (Deficit)</b>	<b>28,864</b>	<b>26,032</b>	<b>27,577</b>	<b>27,577</b>	<b>28,864</b>	<b>26,364</b>	<b>28,864</b>	<b>26,289</b>	<b>28,864</b>	<b>17,577</b>	<b>26,364</b>	<b>28,864</b>
<b>PM Carry Foward (Reserve)</b>	<b>38,853</b>	<b>67,718</b>	<b>93,750</b>	<b>121,327</b>	<b>148,904</b>	<b>177,768</b>	<b>204,132</b>	<b>232,997</b>	<b>259,286</b>	<b>288,151</b>	<b>305,728</b>	<b>332,092</b>
<b>Total Reserve</b>	<b>\$67,718</b>	<b>\$93,750</b>	<b>\$121,327</b>	<b>\$148,904</b>	<b>\$177,768</b>	<b>\$204,132</b>	<b>\$232,997</b>	<b>\$259,286</b>	<b>\$288,151</b>	<b>\$305,728</b>	<b>\$332,092</b>	<b>\$360,957</b>



**School Year 2013-2014**

	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.
Travel and Conferences				1,326						1,326		
Dues and Memberships		1,591										
Insurance	221	221	221	221	221	221	221	221	221	221	221	221
Printing and Reproduction	44	44	44	44	44	44	44	44	44	44	44	44
Staff Training and Development		1,326						1,326				
Student Testing and Assessment			1,326					1,326				
<b>Total Operating</b>	<b>265</b>	<b>3,183</b>	<b>1,591</b>	<b>1,591</b>	<b>265</b>	<b>265</b>	<b>265</b>	<b>2,917</b>	<b>265</b>	<b>1,591</b>	<b>265</b>	<b>265</b>
<b>Utilities</b>												
Electricity	1,061	1,061	1,061	1,061	1,061	1,061	1,061	1,061	1,061	1,061	1,061	1,061
Gas/Propane	221	221	221	221	221	221	221	221	221	221	221	221
Water	88	88	88	88	88	88	88	88	88	88	88	88
Telephone/Internet	221	221	221	221	221	221	221	221	221	221	221	221
<b>Total Utilities</b>	<b>1,591</b>	<b>1,591</b>	<b>1,591</b>	<b>1,591</b>	<b>1,591</b>	<b>1,591</b>	<b>1,591</b>	<b>1,591</b>	<b>1,591</b>	<b>1,591</b>	<b>1,591</b>	<b>1,591</b>
<b>Professional Services</b>												
Advertising	208	208	208	208	208	208	208	208	208	208	208	208
Legal & Insurance	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667
Audit						6,000					6,000	
Special Education Services						25,000					25,000	
District Oversight Fee						7,666					7,666	
<b>Total Professional Services</b>	<b>1,875</b>	<b>1,875</b>	<b>1,875</b>	<b>1,875</b>	<b>1,875</b>	<b>40,541</b>	<b>1,875</b>	<b>1,875</b>	<b>1,875</b>	<b>1,875</b>	<b>40,541</b>	<b>1,875</b>
<b>Facilities and Capital</b>												
Rent/lease	6,250	6,250	6,250	6,250	6,250	6,250	6,250	6,250	6,250	6,250	6,250	6,250
Security Service	417	417	417	417	417	417	417	417	417	417	417	417
<b>Total Facilities &amp; Capital</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>	<b>6,667</b>
<b>Total Expenditures</b>	<b>79,367</b>	<b>82,284</b>	<b>80,693</b>	<b>80,693</b>	<b>79,367</b>	<b>118,033</b>	<b>79,367</b>	<b>82,019</b>	<b>79,367</b>	<b>80,693</b>	<b>118,033</b>	<b>79,367</b>
<b>Monthly Surplus (Deficit)</b>	<b>48,394</b>	<b>45,477</b>	<b>47,068</b>	<b>47,068</b>	<b>48,394</b>	<b>9,729</b>	<b>48,394</b>	<b>45,742</b>	<b>48,394</b>	<b>47,068</b>	<b>9,729</b>	<b>48,394</b>
<b>PM Carry Forward (Reserve)</b>	<b>360,957</b>	<b>409,351</b>	<b>454,828</b>	<b>501,897</b>	<b>548,965</b>	<b>597,359</b>	<b>607,088</b>	<b>655,483</b>	<b>701,225</b>	<b>749,619</b>	<b>796,688</b>	<b>806,417</b>
<b>Total Reserve</b>	<b>\$409,351</b>	<b>\$454,828</b>	<b>\$501,897</b>	<b>\$548,965</b>	<b>\$597,359</b>	<b>\$607,088</b>	<b>\$655,483</b>	<b>\$701,225</b>	<b>\$749,619</b>	<b>\$796,688</b>	<b>\$806,417</b>	<b>\$854,811</b>

**West Athens Charter High School  
Findings of Fact for Denial of Petition  
By the Los Angeles Unified School District  
January 4, 2011**

The charter review process requires the authorizer to evaluate whether the charter petition meets the criteria for approval.

Education Code Section 47605 (b) states the required petition elements and conditions for denial.

Education Code Section 47605 outlines additional petition criteria.

**The Petition of West Athens Charter High School (“Charter School”) does not meet the criteria under Education Code section 47605(b).**

Education Code section 47605(b) states: A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. Education code section 47605(b) provides that the governing board shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a) of Education Code 47605.
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d) of Education Code 47605.
- (5) The petition does not contain a reasonably comprehensive description of all required elements.

**LAUSD’s analysis of the charter petition submitted on or about October 25, 2010, to LAUSD by West Athens Charter High School indicates:**

**Regarding #2 above:**

**The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition:**

- The petition fails to sufficiently and clearly describe the commingling of responsibilities, functions, and roles between the Charter School's Board of Directors and the Charter School's "Education Practice (EP)" resulting in a confusing governance structure which raises concern about the charter schools governing board's governance and accountability.
- The petitioners past history of involvement in charter schools has been unsuccessful. The Financial Manager of the proposed charter, Keith Bandy, submitted a petition for the establishment of a charter school that was considered and denied by Merced Union High School District (petition denied February 13, 2008).

**Regarding #4 above:**

**The petition does not contain an affirmation of each of the conditions described in subdivision (d) of Education Code section 47605:**

- The Charter School fails to sufficiently affirm in the petition that Charter School shall not discriminate against any pupil on the basis of the characteristics listed in Education Code section 220, which includes "disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code."

**Regarding #5 above:**

**The petition does not contain a reasonably comprehensive description of all of the elements required in EC § 47605 (b) based on the following findings of fact:**

**Description of the School's Educational Program (Element 1)**

*The petition does not contain a reasonably comprehensive description of the charter school's educational program.*

- The petition states that courses will not be grade level specific but does not explain how correct student placements will be made. It states only that placements will be made according to students' Personal Learning Plans but does not specify how decisions will be made in the creation of these plans.
- The petition does not explain how students will be able to meet A-G university admission requirements during the regular school day. The petition states that students will need to take foreign language and visual and performing arts classes through a community college, but does not explain when and how students will get access to these courses.

### **Measurable Pupil Outcomes (Element 2)**

*The petition does not contain a reasonably comprehensive description of the charter school's measurable student outcomes.*

- The petition sets proficiency targets for first year performance on California Standards Tests but not for the remaining years of the charter term.
- The petition sets a CAHSEE passage rate for the first year but not for the remaining years of the charter.

### **Methods to Assess Pupil Progress toward Outcomes (Element 3)**

*The petition does not contain a reasonably comprehensive description of methods to assess pupil progress toward outcomes.*

- The petition fails to include a sufficient assurance that the Charter School shall comply and adhere to the State requirements for participation and administration of State mandated tests.

### **Governance Structure (Element 4)**

*The petition does not contain a reasonably comprehensive description of the charter school's governance structure.*

- The petition fails to sufficiently and clearly describe the commingling of responsibilities, functions, and roles between the Charter School's Board of Directors and the Charter School's "Education Practice (EP)" resulting in a confusing governance structure which raises concern about accountability and the ability of LAUSD to exercise its oversight obligations
- The Charter School inappropriately delegates the responsibility and accountability of the Charter School's governing board to the Charter School's Principal in multiple areas, including ensuring fiscal stability, implementation of the Charter School's mission and educational program, and compliance with state and federal laws. Furthermore, the petition allows the Board to delegate or contract out such responsibilities to a business administrator, another school staff member, or a contract service provider. Allowing delegation of responsibilities in this manner calls into question who will actually be governing the Charter School's operations and causes oversight concerns for LAUSD.
- Brown Act. The petition fails to provide sufficient assurance that Charter School will comply with the Brown Act. While the petition specifies that the Charter School will comply with the provisions of the Brown Act, the West Athens Charter High School corporate Bylaws allow the corporate Board to operate in a manner which may conflict with the Brown Act. For instance:
  - The Bylaws are void of any assurance that the governing Board shall abide by the Brown Act;

- Board Action without a Meeting. The Bylaws, Section Two (D), provides that the Board can take action without a meeting. Furthermore, in direct contravention of the assurance provided in the petition regarding compliance with the Brown Act, the petition itself states that Board action without a meeting is permitted if unanimous written consent by all Board members is obtained. In order to satisfy the open meeting requirements of the Brown Act, the actions taken by Board members and their deliberations must be conducted openly;
- Place of Meetings. Section Two (D) provides that board meetings will be held at the principal location of the corporation “or at any other location agreed upon by the majority of the Board members.” Government Code section 54954(b) requires that all regular and special meetings be held within the boundaries of the territory over which the Board has jurisdiction.
- Conflict of Interest. The Charter School Board Conflict of Interest Policy allows for practices that may run contrary to conflict of interest laws including Government Code section 1090 *et seq.* and LAUSD policy. For instance, the Conflict of Interest Policy allows the Board to approve payment from the Charter School to a Board member for any subcontract, goods, or services, even if a conflict of interest exists, so long as the vote of the interested member is not counted in the Board’s decision to authorize the payment.
- Organizational Chart. The petition describes the Charter Schools “Advisory Council,” but fails to include the Council in its organizational chart which should show the relationship of the Charter School’s Board to the leadership of the school.
- The Charter School fails to acknowledge in the petition that LAUSD is entitled to have a single representative on the Charter School’s corporate board of directors pursuant to Education Code section 47604(b).

**Employee Qualifications (Element 5)**

*The petition does not contain a reasonably comprehensive description of employee qualifications.*

- The petition fails to properly acknowledge that the Charter School’s procedures shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California or federal law.

**Health and Safety Procedures (Element 6)**

*The petition does not contain a reasonably comprehensive description of the charter school’s health and safety procedures.*

- The petition fails to assure that the Charter School will require immunization of its students as a condition of school attendance to the same extent as would apply if pupils attended a non-charter public school.

- The petition fails to assure that the Charter School will provide for the screening of its students for vision, hearing and scoliosis to the same extent as would be required if the students were attending a non-charter public school.
- The petition fails to assure that the school's staff will be trained annually on safety procedures outlined in its policies.
- The petition fails to sufficiently assure that the Charter School will require criminal background checks for certificated employees and onsite vendors having unsupervised contact with students and that the Charter School will maintain on file and available for inspection documentation of such background checks.
- The petition fails to assure that the Charter School will have a health, safety and emergency plan in place prior to beginning operation of the Charter School
- The petition fails to assure that its employees and officers will comply with the Family Educational Rights and Privacy Act at all times.
- The petition fails to specify the Charter School's insurance requirements in a manner which LAUSD has determined to be necessary and appropriate.
- The petition's description of the procedures applicable when the Charter School utilizes LAUSD facilities does not conform with procedures which LAUSD has determined to be necessary and appropriate.

**Means to Achieve a Reflective Racial and Ethnic Balance (Element 7)**

*The petition does not contain a reasonably comprehensive description of the means for achieving racial and ethnic balance.*

- The petition fails to sufficiently describe the Charter School's annual outreach efforts for achieving and maintaining a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of LAUSD, including, what geographic areas will be targeted and the methods to be used in the outreach. Additionally, the petition fails to sufficiently describe how its outreach efforts will attain a racial and ethnic balance at the Charter School that is reflective of LAUSD.
- The petition fails to sufficiently acknowledge the Charter School's obligations regarding compliance with the requirements of the No Child Left Behind Act and other applicable federal programs.
- The petition fails to sufficiently acknowledge the Charter School's obligations under the Crawford Court Order and fails to describe the specifics of the Charter School's written plan to achieve and maintain LAUSD's ethnic balance ratio goal pursuant to the Crawford Court Order.

**Admission Requirements (Element 8)**

*The petition does not present a reasonably comprehensive description of admission requirements.*

- The petition fails to sufficiently affirm, as required under Education Code section 47605(d)(1), that the Charter School shall not discriminate against any pupil for any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code.
- The petition fails to affirm that in the event a public random drawing is implemented, admission priority preference to the Charter School will be extended to students who reside within LAUSD.
- The petition fails to sufficiently assure that Charter School will admit all pupils who wish to attend as outlined in Education Code section 47605(d)(2)(A).
- The petition fails to describe the efforts the Charter School will employ to recruit academically low achieving, special education, and economically disadvantaged students.
- The petition fails sufficiently assure that the Charter School will comply with the McKinney Vento Homeless Assistance Act for homeless children.

**Annual Independent Financial Audits (Element 9)**

*The petition does not present a reasonably comprehensive description of annual independent financial audits.*

- The petition fails to sufficiently acknowledge the right of LAUSD to charge the Charter School for the actual costs of supervisory oversight of the Charter School.
- The petition fails to acknowledge LAUSD's entitlement to make deductions from in lieu property taxes that the Charter School would otherwise be eligible to receive to reimburse LAUSD for the provision of agreed upon or fee for service, or special education services, or as a result of the State's adjustment to allocation of special education revenues from the Charter School.
- The petition fails to describe the plans and systems to be used by the Charter School to provide information for an independent audit.
- The petition fails to specify that the auditor whom the Charter School will contract with to conduct an independent audit will have experience in education finance.

**Suspension and Expulsion Procedures (Element 10)**

*The petition does not present a reasonably comprehensive description of student suspension and expulsion procedures.*

- The petition fails to identify offenses for which students are subject to mandatory expulsion and which are discretionary.

- The petition fails to provide a reasonably comprehensive description of the Charter School's student discipline procedures necessary to afford the Charter School's students adequate due process. Clearly described/outlined procedures are necessary to avoid inconsistent, capricious, and unfair student disciplinary practices and necessary to afford students adequate due process.
- The petition fails to contain a reasonably comprehensive description of student expulsion appeal procedures, including specification of timelines for sending notification of appeal rights to parents/guardians, appeal hearing procedures and possible outcomes of the appeal.
- The petition's description of the Charter School's procedures for the discipline of students with disabilities fails to conform with procedures which LAUSD has determined to be necessary and appropriate.
- The petition fails to sufficiently acknowledge that the Charter School shall utilize alternatives to suspension and expulsion with students who are truant, tardy, or otherwise absent from compulsory school activities.
- The failure of the Charter School to acknowledge in the petition that the Charter School shall comply with the federal Gun Free Schools Act, calls into question whether the Charter School's procedures related to student discipline will provide adequate safety for students and staff.
- The petition does not describe how the Charter School's policies and procedures regarding suspension and expulsion will be periodically reviewed including modification of the lists of offenses for which students are subject to suspension or expulsion.

**STRS, PERS, and Social Security Coverage (Element 11)**

*The petition does not present a reasonably comprehensive description of STRS, PERS, and social security coverage.*

- The petition fails to identify the Charter School staff member(s) who will be responsible for ensuring that appropriate arrangements for retirement system coverage for employees has been made.

**Employee Rights (Element 13)**

*The petition does not present a reasonably comprehensive description of employee return rights.*

- The petition fails to sufficiently describe the return rights of LAUSD employees who leave LAUSD to work at the Charter School.

**Dispute Resolution Procedures (Element 14)**

*The petition does not present a reasonably comprehensive description of dispute resolution procedures.*

- The dispute resolution procedures described in the petition fail to conform with procedures which LAUSD has determined to be necessary and reasonably comprehensive.

**Exclusive Public School Employer (Element 15)**

*The petition does not include a declaration whether or not the charter school shall be the exclusive public school employer for employees of the charter school for purposes of the Educational Employment Relations Act.*

- While the petition does include a declaration specifying that the Charter School shall be the exclusive public school employer for employees of the Charter School for purposes of the Educational Employment Relations Act (EERA), it appears from the petition that the Charter School may penalize Charter School employees who choose to belong to a bargaining unit potentially interfering with their right under EERA to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations.

**Closure Procedures (Element 16)**

*The petition does not include a reasonably comprehensive description of closure procedures.*

- The description of the Charter School's closure procedures fails to conform with procedures which LAUSD has determined to be necessary and appropriate.