



LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

Report Number:	016-11/12
Date:	July 12, 2011
Subject:	Denial of the Charter for Columbia Preparatory Academy of Technology and Art
Responsible Staff:	
Name	José J. Cole-Gutiérrez, Director, Charter Schools
Office/Division	Innovation and Charter Schools Division
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BOARD REPORT

Action Proposed: Staff recommends the following action:

Denial of the charter for Columbia Preparatory Academy of Technology and Art and Adoption of the Supporting Findings of Fact.

Background: Staff proposes that the Board of Education deny the charter petition for Columbia Preparatory Academy of Technology and Art 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 May 20, 2011, a petition was submitted to establish Columbia Preparatory Academy of Technology and Art with 310 students in grades K-6 with the school's proposed location in zip code 90746 or the city of Carson, Local District 8, Board District 7. 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:

"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



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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, 4, 5, 6, 8, 9, 10, and 11 were found to be not reasonably comprehensive. Additionally, the proposed school demonstrates a lack of start-up funding to support a successful opening by September 2011. Detailed reviews of the charter petition and budget are submitted in the Finding of Facts accompanying this Board Report.

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

Expected Outcomes: Denial will prevent the establishment of Columbia Preparatory Academy of Technology and Art as an LAUSD authorized charter school at this time.

Board Options and Consequences: “Yes” – The approval of the denial of the charter of Columbia Preparatory Academy of Technology and Art would prevent the establishment of Columbia Preparatory Academy of Technology and Art as a charter school, unless Columbia Preparatory Academy of Technology and Art appeals the denial and the appeal is granted by the Los Angeles County Board of Education or California State Board of Education.

“No” – The failure to deny the charter of Columbia Preparatory Academy of Technology and Art could allow Columbia Preparatory Academy of Technology and Art to operate as a LAUSD authorized charter school.



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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 Columbia Preparatory Academy of Technology and Art's charter petition pursuant to Education Code sections 47605(b).

Attachments:

Informative

Desegregation
Impact Statement



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Respectfully submitted,

APPROVED BY:

JOHN E. DEASY, PH.D.
Superintendent of Schools

MICHELLE KING
Senior Deputy Superintendent
School Operations

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.

TONY ATIENZA
Interim Budget Director (Interim)

Approved as to budget impact statement.