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# **Agenda Item #5**

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# LOS ANGELES UNIFIED SCHOOL DISTRICT

## Board of Education Report

<b>Report Number:</b>	206-08/09
<b>Date:</b>	January 27, 2009
<b>Subject:</b>	Amendment to the Planning and Development Strategic Execution Plan to Provide Funding for the Long-term Co-location of Gabriella Charter School at Logan ES
<b>Responsible Staff:</b>	
Name	Joseph A. Mehula, Chief Facilities Executive
Office/Division	Facilities Services Division
Telephone No.	213-241-4811

### A. EXECUTIVE SUMMARY

**Action Proposed:** Approve an amendment to the Planning and Development Strategic Execution Plan (SEP) to provide \$1,038,950 for the long-term co-location of Gabriella Charter School at Logan Elementary School and to authorize staff to negotiate and enter into a co-location use agreement with Gabriella Charter School coterminous with the authorization of their charter petition.

**Staff Recommendation and Rationale:** To proactively address annual Proposition 39 requests, staff recommends that the Board of Education approve an amendment to the Planning and Development Strategic Execution Plan (SEP) to provide \$1,038,950 for the long-term co-location of Gabriella Charter School at Logan Elementary School and to authorize staff to negotiate and enter into a co-location use agreement with Gabriella Charter School coterminous with the authorization of their charter petition.

Established through an instructional partnership, the long-term co-location of Gabriella Charter School on the Logan Elementary School campus achieves the following:

1. Resolves annual Proposition 39 obligations by providing Gabriella Charter School with a long-term facilities solution.
2. Provides Logan students and community access to dance studios and a high-quality after-school dance program.
3. Cultivates experienced resident student dancers in the attendance area of the Los Angeles High School for the Visual and Performing Arts (Central High School #9).

To accommodate a dance program on the Logan campus, funding of this



## LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

SEP amendment will provide for the conversion of four classrooms into two dance studios, update path of travel to the dance studios for ADA compliance and install new ADA parking. Work will be completed by September 2009 when Gabriella Charter School co-locates at Logan Elementary School.

### **Background:**

In an effort to proactively address Proposition 39 and to establish an instructional partnership to benefit the students and community of Logan Elementary School, Local District 4 identified Gabriella Charter School for a long-term charter co-location on the Logan campus. Gabriella Charter School is a Proposition 39 applicant for the 2009-10 school year. As a long-term co-location, Gabriella Charter School will provide after-school dance instruction through their renowned *everybody dance!* program to students of Logan and the surrounding community.

Gabriella Charter School was authorized as a K-5 dance-themed charter school by the Board of Education in May 2005. Gabriella Charter School was successfully renewed on May 27, 2008 for an additional five years. The mission of Gabriella Charter School is to draw upon the discipline, creativity and cognitive aspects of dance to engage children to become more active learners and to enhance academic skill-building by integrating dance throughout the curriculum. All Gabriella Charter School students take one hour of dance per day and dance is infused into a standards-based curriculum.

Gabriella Charter School was founded and is operated by the Gabriella Axelrad Education Foundation, which was established in December 1999 by family and friends in memory of Gabriella Axelrad, a 13 year-old who loved to dance. In May, 2000, the Foundation's dance program, *everybody dance!* opened its doors in a low-income housing project west of Downtown Los Angeles. The program started with 35 students in 12 weekly classes. There are now more than 1,000 students enrolled in over 150 weekly dance classes such as ballet, jazz, tap, hip-hop, ballroom and modern dance. The program has been featured in the Los Angeles Times, People Magazine, Biography Magazine, California Lawyer Magazine, Family Circle Magazine as well as on KNBC, KCAL, KTTV, KCBS, KMEX and KNXT Radio.

Recognizing the need to cultivate experienced resident student dancers in the attendance area of the Los Angeles High School for the Visual and Performing Arts (Central High School #9), Local District 4 identified Gabriella Charter School for an instructional partner facilitated through a long-term co-location. Since July 2008, Local District 4 has worked with



## LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

Gabriella Charter School to identify the appropriate campus for a co-location in the attendance area of the Los Angeles High School for the Visual and Performing Arts.

Logan Elementary School serves grades K-5 in Local District 4. Based on 2008 norm data, Logan's current enrollment is approximately 550 students. The Logan campus has an operating capacity of 1,024 students on a traditional calendar. The campus has 50 general-size classrooms but only 30 classrooms are currently utilized for instruction. There are three authorized set-asides including a Parent Center, library and computer lab. As a Program Improvement school, Logan has experienced consistent declining enrollment. As a result, Logan Elementary School has been offered annually for the past three years as a Proposition 39 charter co-location.

To alleviate annual Proposition 39 obligations and address the need for comprehensive dance programs, Local District 4 partnered Logan Elementary School with Gabriella Charter School for a long-term co-location. To cultivate the partnership between both schools, Gabriella Charter School is currently offering ballroom dance instruction to the fifth grade class at Logan Elementary School. As an introduction to Gabriella Charter School, parent and community meetings are being organized where Logan students will perform to demonstrate the instructional benefits of this co-location. Meetings between Logan and Gabriella Charter School staff have also been organized to establish collaboration between both schools.

Within the next three years, Gabriella Charter School will become a span school to serve grades K-8 by submitting an additional charter petition for a 6-8 middle school. Their new middle school will provide Logan students an opportunity to matriculate into a neighborhood dance-themed school. This will further cultivate experienced resident student dancers in the attendance area of the High School for the Visual and Performing Arts.

By leveraging approximately \$1 million to fund this long-term co-location, the District will provide a permanent facilities solution for Gabriella Charter School and access to dance studios and a high-quality dance after-school dance program to the Logan Elementary School students and community.

**Policy Implications:** This action does not change District policies.



## LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

**Budget Impact:** Funding for this proposal will be provided from the remaining balance of approximately \$38 million in local bond funds provided by Measure K, Measure R and Measure Y for charter schools. The budget for this charter school co-location project is \$1,038,950.

**Issues/  
Considerations:** The long-term co-location of Gabriella Charter School at Logan Elementary School will provide a permanent facilities solution to approximately 400 charter school students in grades K-8.

Approval of this charter school expansion project will reduce the remaining balance of approximately \$38 million in local bond funds allocated to charter schools by \$1,038,950. The remaining balance will be approximately \$36.5 million.

The scope and schedule to accommodate the long-term co-location has been defined with the input of the Logan Elementary School principal and Local District 4. Meetings with Logan staff and parents have been organized to ensure their awareness and participation throughout the process of implementing this long-term co-location.

**Effect of “yes” vote:** The Board of Education will approve an amendment to the Planning and Development Strategic Execution Plan (SEP) to provide \$1,038,950 for the long-term co-location of Gabriella Charter School at Logan Elementary School and to authorize staff to negotiate and enter into a co-location use agreement with Gabriella Charter School coterminous with the authorization of their charter petition.

**Effect of “no” vote:** Failure to adopt this recommendation will prohibit the long-term co-location of Gabriella Charter School at Logan Elementary School. As a result, the instructional partnership to cultivate experienced resident student dancers in the attendance of the High School for the Visual and Performing Arts will be jeopardized.

An additional consequence includes the District’s inability to satisfy Gabriella Charter School’s annual Proposition 39 requests for approximately 400 students in grades K-8 with a long-term facilities solution.



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## Board of Education Report

### B. BOARD REPORT

**Action Proposed:** Approve an amendment to the Planning and Development Strategic Execution Plan (SEP) to provide \$1,038,950 for the long-term co-location of Gabriella Charter School at Logan Elementary School and to authorize staff to negotiate and enter into a co-location use agreement with Gabriella Charter School coterminous with the authorization of their charter petition.

**Expected Outcomes:** The District will execute the necessary accommodations for the long-term co-location of Gabriella Charter School at Logan Elementary School including the conversion of four classrooms into two dance studios. Gabriella Charter School will co-locate on the Logan campus starting in the 2009-10 school year and expand to grades K-8 for a period coterminous with the authorization of their charter petition. As part of an instructional partnership, Gabriella Charter School will provide after-school dance instruction to Logan and surrounding neighborhood students.

**Board Options and Consequences:** The Board of Education will approve an amendment to the Planning and Development Strategic Execution Plan (SEP) to provide \$1,038,950 for the long-term co-location of Gabriella Charter School at Logan Elementary School and to authorize staff to negotiate and enter into a co-location use agreement with Gabriella Charter School coterminous with the authorization of their charter petition.

Failure to adopt this recommendation will prohibit the long-term co-location of Gabriella Charter School at Logan Elementary School. As a result, the instructional partnership to cultivate experienced resident student dancers in the attendance of the High School for the Visual and Performing Arts will be jeopardized.

An additional consequence includes the District's inability to satisfy Gabriella Charter School's annual Proposition 39 requests for approximately 400 students in grades K-8 with a long-term facilities solution.

**Policy Implications:** This action does not change District policies.



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## Board of Education Report

**Budget Impact:** Funding for this proposal will be provided from the remaining balance of approximately \$38 million in local bond funds provided by Measure K, Measure R and Measure Y for charter schools. The budget for this charter school co-location project is \$1,038,950.

**Issues and Analysis:** With the passage of Proposition 39 in 2000, the District's obligation to provide facilities to charter schools changed fundamentally. Proposition 39 amended Education Code section 47614. Where, before the passage of Proposition 39, the District had a duty under section 47614 only to provide surplus space to charter schools, the District now has an obligation to share its facilities "fairly among all public school pupils, including those in charter schools." The law requires the District to treat charter school students who reside within District boundaries as District students.

**No legal issues**

**Legal informative attached**

In 2003, the Board of Education adopted a policy that defines fair treatment of non-charter and charter school students in the use of facilities and supports co-location on schools sites that have "underutilized facilities." In 2007 the District was sued by the California Charter Schools Association and two charter operators that, among other things, challenged the definition of underutilized facilities that could be made available to charter schools under the Board's policy. In order to avoid court ordered procedures that might be dramatically unfavorable with the District's facilities plans, the Board of Education directed that the case be settled. The settlement agreement does not give charter schools any more legal rights than they are entitled to under the current law but does reiterate the District's commitment to make annual facilities offers to requesting charter schools.

In November 2008, the District received 68 charter school applications requesting approximately 22,000 seats for the 2009-10 school year. After District review, 57 charter schools requesting approximately 19,000 seats are eligible to receive facilities offers for the 2009-10 school year. The majority of requests were for secondary seats. Gabriella Charter School is one of the 2009-10 Proposition 39 applicants. Approval of this proposal will provide Gabriella Charter School with a long-term facilities solution for approximately 400 students in grades K-8.

**Committee Information:** This item will appear on the agenda of the January 15, 2009 Facilities Committee.

**Bond Oversight Committee** This item will appear on the agenda of the January 21, 2009 School Construction Bond Citizen's Oversight Committee.



## LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

### **Recommendation:**

#### **Reporting Requirements and Benchmarks:**

The Planning & Development SEP is updated annually. This SEP amendment will be reported in the Planning & Development SEP. Because the New Construction Branch will be responsible for the construction of the co-location facility accommodations, this project will be referenced in the New Construction SEP. Progress is reported monthly in the Planning & Development and New Construction Monthly Status Reports. Facilities Services Division status reports are posted on [www.laschools.org](http://www.laschools.org).

Staff has concluded that this proposed SEP amendment will help facilitate implementation of the SEP, and therefore, it will not adversely affect the District's ability to successfully complete the SEP.

#### **Accountable Staff:**

Richard Alonzo, Superintendent, Local District 4  
John P. Creer, Director, Planning and Development Branch  
Jose Cole-Gutierrez, Executive Director, Charter Schools Division

#### **Applicable Board Delegations:**

This motion delegates to staff the authority to negotiate and enter into a co-location use agreement with Gabriella Charter School coterminous with the authorization of their charter petition.

#### **Superintendent's Comments:**

The Superintendent recommends approval of this action.

#### **Miscellaneous Issues and Matters:**

N/A

#### **Desegregation Impact Statement attached**

#### **Division of Accountability and Systemwide Performance**

#### **Informative**



**LOS ANGELES UNIFIED SCHOOL DISTRICT  
Board of Education Report**

Respectfully submitted,

RAMON C. CORTINES  
Superintendent of Schools

APPROVED &  
PRESENTED BY:

Handwritten signature of Joseph A. Mehula in black ink.

JOSEPH A. MEHULA  
Chief Facilities Executive  
Facilities Services Division

APPROVED BY:

DR. JAMES MORRIS  
Chief of Staff

Handwritten signature of Richard A. Alonzo in black ink.

RICHARD A. ALONZO  
Superintendent  
Local District 4

Handwritten signature of Jose Cole-Gutierrez in black ink.

JOSE COLE-GUTIERREZ  
Executive Director  
Charter Schools Division