

California Department of Education  
2007-08 CHARTER SCHOOL PETITION REVIEW FORM

sdob-csd-sep07item07  
Attachment 1  
Page 1 of 28

Petitioner

**Lifeline Education Charter School**

This form is a tool to evaluate a charter school petition submitted to the State Board of Education (SBE) on appeal. It is designed to ensure that the petition is reviewed in relation to the requirements of statute and regulation.

Evaluator  
Deborah Domitrovich

**OVERALL CALIFORNIA DEPARTMENT OF EDUCATION (CDE) EVALUATION**

The overall recommendation of CDE staff is that the ACCS recommend denial of the Lifeline Education Charter School (Lifeline) petition to the State Board of Education (SBE). The school has a history of low academic performance (but did show substantial growth in 2006, +89 points on the API), and has been the subject of a Fiscal Crisis Management and Assistance Team (FCMAT) audit in which a number of allegations of inappropriate use of funds and weak internal controls were substantiated. Further, there is not enough detail in this proposal to determine how fiscally sound the school is currently, who is operating and governing the school, and how many aspects of the program would actually operate at this school. Because of these issues, it is unclear to staff that Lifeline is capable of offering a sound educational program.

Lifeline was originally chartered in 2002 by the Gorman Elementary School District, but it was located in the city of Compton. Due to statutory geographical restrictions, the school was forced to seek a new authorizer where the school was actually located. Petitioners submitted the charter to the Compton Unified School District, which denied it on March 13, 2007. The Los Angeles County Office of Education (LACOE) also denied the petition on June 5, 2007.

If the ACCS chooses to recommend that the SBE grant the charter, staff would suggest that a number of technical changes be incorporated, and that the ACCS recommend approval of the customary pre-opening conditions, to be embodied in a Memorandum of Understanding (MOU) between the school and the CDE. The MOU would address at a minimum: \_

- Insurance Coverage: Not later than [DATE TO BE DETERMINED (TBD)] (or such earlier time as school may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings.
- MOU/Oversight Agreement: Not later than TBD, either (a) accept an agreement with the SBE, administered through the CDE, to be the direct oversight entity for the school, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to *EC* Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.
- SELPA Membership: Not later than TBD, submit written verification of having applied to a special education local plan area (SELPA) for membership as a local educational agency and, not later than TBD, submit either written verification that the school is (or will be at the time students are being served) participating in the SELPA, or an agreement between a SELPA, a school district that is a member of the SELPA, and the school that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider

California Department of Education  
2007-08 CHARTER SCHOOL PETITION REVIEW FORM

sdob-csd-sep07item07

Attachment 1

Page 2 of 28

Petitioner

**Lifeline Education Charter School**

**OVERALL CALIFORNIA DEPARTMENT OF EDUCATION (CDE) EVALUATION**

the school's students to be students of the school district in which the school is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff following a review of either (1) the school's written plan for membership in the SELPA, including any proposed contracts with service providers or (2) the agreement between a SELPA, a school district, and the school, including any proposed contracts with service providers.

- Educational Program: Not later than TBD, submit a description of the curriculum development process the school will use and the scope and sequence for the grades envisioned by the school; and, not later than TBD, submit the complete educational program for students to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used, plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials, identification of specific assessments that will be used in addition to the results of the Standardized Testing and Reporting (STAR) program in evaluating student progress. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.
- Student Attendance Accounting: Not later than TBD, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims, meet or exceed independent study requirements, and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Fiscal Services Division.
- Facilities Agreements: Not later than TBD, present written agreements (e.g., a lease or similar document) indicating the school's right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each school's operation and evidence that the facilities will be adequate for the school's needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities Planning Division.
- Zoning and Occupancy: Not less than 30 days prior to the school's opening, present evidence that each school's facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities Planning Division.
- Final Charter: Not later than TBD, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE staff, and that includes a specification that the school will not operate satellite schools, campuses, sites, resource centers or meeting spaces not identified in the

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 3 of 28

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>OVERALL CALIFORNIA DEPARTMENT OF EDUCATION (CDE) EVALUATION</b>
<p>charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division staff.</p> <ul style="list-style-type: none"> <li>• <b>Legal Issues:</b> In the final charter, resolve any legal issues that may be identified by the SBE’s Chief Counsel or the CDE’s General Counsel.</li> <li>• <b>Processing of Employment Contributions:</b> Prior to the employment of any individuals by the school, present evidence that the school has made appropriate arrangements for the processing of the employees’ retirement contributions to the Public Employees’ Retirement System (PERS) and the State Teachers’ Retirement System (STRS).</li> <li>• <b>Operational Date:</b> If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the school is not in operation within one year of the charter petition’s approval by the SBE, approval of the charter is terminated.</li> </ul>

**REQUIREMENTS FOR SBE-AUTHORIZED CHARTER SCHOOLS, PURSUANT TO EC SECTION 47605**

<b>SOUND EDUCATIONAL PRACTICE</b>	<b>EC Section 47605(b) CCR, Title 5, Section 11967.5.1(a)</b>
<p><b>Evaluation Criteria</b>                      For purposes of EC Section 47605(b), a charter petition shall be “consistent with sound educational practice” if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.</p>	
<b>Is the charter petition “consistent with sound educational practice”?</b>	<b>Uncertain</b>
<p><b>Comments:</b>                      Lack of sufficient detail, as described on pages 9-10 of this analysis, makes it uncertain whether the petition is consistent with sound educational practice. In addition, academic performance data over the past three years has been very poor (with the exception of the 2006 API growth), and the school is in its second year of Program Improvement status.</p>	

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 4 of 28

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>UNSOUND EDUCATIONAL PRACTICE</b>	<b>EC Section 47605(b) (1) CCR, Title 5, Section 11967.5.1(b)</b>
<p><b>Evaluation Criteria</b>          For purposes of <i>EC</i> Section 47605(b)(1), a charter petition shall be “an unsound educational program” if it is either of the following:          (1) A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils.          (2) A program that the SBE determines not to be likely to be of educational benefit to the pupils who attend.</p>	
<b>Does the charter petition present “an unsound educational program”?</b>	<b>Uncertain</b>
<p><b>Comments:</b>          Lack of sufficient detail, as described below, makes it uncertain whether the petition is consistent with sound educational practice.</p>	

<b>DEMONSTRABLY UNLIKELY TO IMPLEMENT THE PROGRAM</b>	<b>EC Section 47605(b)(2) CCR, Title 5, Section 11967.5.1(c)</b>
<p><b>Evaluation Criteria</b>          For purposes of <i>EC</i> Section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program."          (1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE 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 petitioners' control.          (2) The petitioners are unfamiliar in the SBE's judgment with the content of the petition or the requirements of law that would apply to the proposed charter school.          (3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified).          (4) The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.</p>	
<b>Are the petitioners "demonstrably unlikely to successfully implement the program"?</b>	<b>Uncertain</b>
<p><b>Comments:</b>          CDE staff has a number of concerns regarding the ability of the petitioners to successfully implement the program.</p> <ul style="list-style-type: none"> <li>• Since 2002, when Lifeline was originally chartered, the school has had a history of poor academic performance relative to schools statewide.</li> </ul>	

California Department of Education  
2007-08 CHARTER SCHOOL PETITION REVIEW FORM

sdob-csd-sep07item07  
Attachment 1  
Page 5 of 28

Petitioner

**Lifeline Education Charter School**

**DEMONSTRABLY UNLIKELY TO IMPLEMENT THE PROGRAM**

**EC Section 47605(b)(2)  
CCR, Title 5, Section 11967.5.1(c)**

For example, Lifeline's percentage of students proficient and above in language arts, math, Algebra I, history/social science and science range from a high of 26 percent in math to 7 percent in history/social science. CAHSEE overall passage rates in 2006 were 50 percent in English/language arts and 42 percent in math, compared to statewide passage rates of 61 percent and 59 percent respectively. In contrast to Lifeline's poor academic performance relative to the rest of the state, the school has outperformed Compton USD in 2006 on most measures, including CAHSEE results, percent of students proficient and above in language arts, math history/social science, and science, and subgroup (African American and Latino) APIs. Compton USD's base API was 25-50 points higher than the school in 2004 and 2005. During the last three years in which Lifeline generated API rankings, they have been as follows; 2004 statewide and similar schools rankings were 1/5, in 2005 they were 1/2, and in 2006, the school ranked 2/3. Over the last three years, the school's API ranged from 547 in 2004-05, to 543 in 2005-06, to 622 in 2006-07. In summary, although Lifeline has begun to surpass the district in terms of academic performance, the school is not performing at a level which would indicate the school is providing a majority of its students a rigorous learning experience, or meeting academic targets under NCLB.

- In addition, the school has been the subject of a February 2007 FCMAT audit in which a number of allegations including misuse of charter funds, asset misappropriations or misuse, funding and compensation irregularities, and administrative issues were found to be substantiated. The school, in its response to the audit findings stated it was taking steps to take control of its administrative functions. FCMAT found little evidence to support that assertion at the time the audit was published in February 2007. Staff also notes that the school had five audit findings in 2003-04 related primarily to attendance accounting. All of these matters have been corrected; however, one of those findings related to supplemental hourly funding resulted in a liability to the state of approximately \$38,000, which is currently outstanding. In addition, the petitioners have not presented a complete or realistic financial or operational plan in the charter or supplementary attachments. There is very little financial information, and descriptions of the operational aspects of the school are limited and very general. Staff is unable to conclude there is a plan for improving the organizational and financial aspects of the school' operations.
- Further, it is unclear who the petitioners, current governing board members and key administrators are that lead the school. There is no information regarding their qualifications or areas of expertise. The FCMAT audit found that the Lifeline governing board abdicated its responsibility by completely turning over all administrative functions to the Gorman Learning Center. Although the school asserts that the governing board has taken control of the school and expanded its membership, staff can find no evidence of this.
- Of final concern is that the petitioners may not understand the requirements in law regarding special education since much of the language regarding special education was taken from another template. There is little information regarding how Lifeline intends to provide special education services.

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 6 of 28

Petitioner	<b>Lifeline Education Charter School</b>
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<b>DEMONSTRABLY UNLIKELY TO IMPLEMENT THE PROGRAM</b>	<b>EC Section 47605(b)(2) CCR, Title 5, Section 11967.5.1(c)</b>
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In summary, CDE staff concludes, based on the above information that the charter school has not been a successful enterprise either academically or fiscally. Further, we believe that the petitioners may be demonstrably unlikely to implement a successful educational program in the future and would benefit from more time to fully develop a program. Operated under the Gorman Learning Center schools, and with the recent n FCMAT .audit findings, the CDE staff generally concludes that this school does not appear to have the expertise to operate a high quality charter school.

<b>REQUIRED NUMBER OF SIGNATURES</b>	<b>EC Section 47605(b)(3) CCR, Title 5, Section 11967.5.1(d)</b>
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**Evaluation Criteria**  
 For purposes of EC Section 47605(b)(3), a charter petition that “does not contain the number of signatures required by [law]”...shall be a petition that did not contain the requisite number of signatures at the time of its submission...

<b>Did the petition contain the required number of signatures at the time of its submission?</b>	<b>Yes</b>
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**Comments:**  
 The petition is signed by 306 interested parents, which is sufficient given that the school plans to serve approximately 300 students. The Los Angeles County Office of Education (LACOE) in its reasons for denial indicated only that the office was unable to verify the required number of parent signatures.

<b>AFFIRMATION OF SPECIFIED CONDITIONS</b>	<b>EC Section 47605(b)(4) EC Section 47605(d) CCR, Title 5, Section 11967.5.1(e)</b>
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**Evaluation Criteria**  
 For purposes of EC Section 47605(b)(4), a charter petition that "does not contain an affirmation of each of the conditions described in [EC Section 47605(d)]" ...shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. 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 Section 47605(d).

(1) [A] charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, or disability. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>AFFIRMATION OF SPECIFIED CONDITIONS</b>	<b>EC Section 47605(b)(4)</b> <b>EC Section 47605(d)</b> <b>CCR, Title 5, Section 11967.5.1(e)</b>
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(2) (A) A charter school shall admit all pupils who wish to attend the school.

(B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to [EC] Section 48200.

<b>Does the charter petition contain the required affirmations?</b>	<b>Partially</b>
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**Comments:**

The petition contains an affirmation that the school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any student based on ethnicity, creed, gender, national origin, or disability. The petition also states that the school has an open enrollment policy on page 44 of the petition. However, on page 3, the charter states that the school will accept students who reside within the boundaries of Compton USD and Los Angeles County. This provision is contrary to statute, which states that admission to a charter school shall not be determined according to the place of residence of the student or parent/guardian, except in the instances of conversion charter schools. The charter states that a lottery will be held August 2 in the event that the number of applicants exceeds available slots by grade level. There is no indication that the lottery will be either public or random. The charter provides that "siblings of returning students and/or children of the school's founders" will be exempt from the lottery. It is not clear how the "and/or" provision is operationalized with regard to siblings and the school's founders. These categories are exempt from the lottery process under federal non regulatory guidance; however the percentage of children of founders must be limited to less than 10 percent of total enrollment.

Finally, the petition contains no language regarding the notification of the superintendent of a school district of a student's expulsion or voluntary exit from the charter school. If the charter petition is approved by the SBE, staff recommends that admissions preferences be clarified to be consistent with state statute and federal non-binding regulatory guidance, that if founders are given preference, it be no greater than 10 percent of enrollment each year, and that language be added regarding the notification required under EC Section 48200.

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

**THE SIXTEEN CHARTER ELEMENTS**

<b>1. DESCRIPTION OF EDUCATIONAL PROGRAM</b>	<b>EC Section 47605(b)(5)(A) CCR, Title 5, Section 11967.5.1(f)(1)</b>
<b>Evaluation Criteria</b>	
The description of the educational program..., as required by <i>EC</i> Section 47605(b)(5)(A), at a minimum:	
(A) Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.	Yes
(B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person" in the 21 <sup>st</sup> century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.	Yes
(C) Includes 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.	Generally
(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).	Yes
(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school's pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to <i>EC</i> Section 60605 and to achieve the objectives specified in the charter.	Generally
(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.	Generally
(G) Indicates 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	Partially
(H) Specifies 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 <i>EC</i> 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.	Uncertain

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>1. DESCRIPTION OF EDUCATIONAL PROGRAM</b>	<b>EC Section 47605(b)(5)(A) CCR, Title 5, Section 11967.5.1(f)(1)</b>
If serving high school students, describes how district/charter school informs parents about: <ul style="list-style-type: none"> <li>• transferability of courses to other public high schools; and</li> <li>• eligibility of courses to meet college entrance requirements</li> </ul> (Courses that are accredited by the Western Association of Schools and Colleges (WASC) may be considered transferable, and courses meeting the UC/CSU "a-g" admissions criteria may be considered to meet college entrance requirements.)	<b>No</b>
<b>Does the petition overall present a reasonably comprehensive description of the educational program?</b>	<b>Uncertain</b>
<p><b>Comments:</b>                      The petition identifies the target population Lifeline wishes to serve as primarily students at risk and dropouts. The school served approximately 339 students in 2006-07. About 200 of those students were in grades 9-12, with the balance in grades 6-8. The stated mission of the school is to create a learning community that will provide each student with an academically challenging curriculum and the support necessary to reach his/her highest potential—intellectually, socially, emotionally, and physically. Lifeline offers a site-based high school and middle school curriculum that is aligned with state standards and uses state adopted instructional materials. The charter states that the school is just beginning the process to secure WASC accreditation.</p> <p>The petition provides general information regarding the various components of the educational program; however, it does not provide specific information on how the components are differentiated for middle school and high school students. The charter states that the school emphasizes academics, technology, life skills, and for the first time in fall 2007, will incorporate character building and community service into the curriculum. Lifeline incorporates project-based learning into the curriculum, but is phasing it in over time. The school appears to recognize that many of its students will enroll in the school with below grade level skills; therefore it incorporates the Read 180 program to build literacy skills.</p> <p>The petition contains a very general description of courses offered by grade level and subject matter. The charter contains a sample Algebra II pre-assessment, a sample project, and a four week lesson plan for Algebra II. There are no corresponding samples for any other subject matter. The school calendar indicates that students will attend school for 180 days each year.</p> <p>The plan to support students at risk of retention is generally described, but it is unclear how such students are identified. The support plan involves informing parents, development of an action plan for the student by the SST committee, providing supplemental support services, and enrollment in an after school remediation program. The petition lists 54 EL students in 2006-07, or approximately 16% of the entire student body. The program for serving EL students is very vague. The charter indicates that EL students are supported through; (1) a teaching staff qualified in second language pedagogy, (2) an after school and summer program with a strong language literacy focus, and (3) additional bilingual teacher's aides in the classroom. Lifeline identifies students through the Home Language survey and administers the CELDT test. It is not readily apparent to staff how</p>	

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>1. DESCRIPTION OF EDUCATIONAL PROGRAM</b>	<b>EC Section 47605(b)(5)(A) CCR, Title 5, Section 11967.5.1(f)(1)</b>
<p>the program is operationalized at the school. The LACOE reasons for denial cited a failure of the petition to describe EL program options, failure to identify a program that emphasizes vocabulary and language development, and a lack of understanding of EL reclassification procedures.</p> <p>The description of special education services in the petition largely consists of cut and paste language regarding the various steps (search and serve, referral for assessment, development of the IEP, etc.). The charter provides no information regarding whether the school intends to function as an LEA in a SELPA or the SELPA with which it is affiliated. Compton USD's reasons for denial identified the provision of special education services as a deficient area in the charter. There is no information regarding personnel that will provide the services, resources that are devoted to special education, encroachment fees, planned contracts for service providers, etc. CDE staff recommends that, if the charter petition is approved by the SBE, the school's operation be conditioned upon its acceptance as an LEA member into a SELPA. Staff further recommends that language be inserted in the charter describing how the school informs parents about the transferability of courses to other high schools and the eligibility of courses to meet college entrance requirements.</p>	
<b>2. MEASURABLE PUPIL OUTCOMES</b>	<b>EC Section 47605(b)(5)(B) CCR, Title 5, Section 11967.5.1(f)(2)</b>
<p><b>Evaluation Criteria</b>                  Measurable pupil outcomes, as required by EC Section 47605(b)(5)(B), at a minimum:</p>	
(A) Specify skills, knowledge, and attitudes that reflect the school's educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.	No
(B) Include the school's Academic Performance Index growth target, if applicable.	Yes
<b>Does the petition present a reasonably comprehensive description of measurable pupil outcomes?</b>	<b>No</b>
<p><b>Comments:</b>                  The petition describes the results of the STAR and CAHSEE testing, and the school's API for 2005-06. The petition does not set forth any measurable outcomes or quantifiable benchmarks that might follow from the description of test results, other than the general goals that students demonstrate literacy skills at or above grade level and that they understand and demonstrate the ability to use mathematics and applied sciences (page 35).</p>	

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 11 of 28

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>3. METHOD FOR MEASURING PUPIL PROGRESS</b>	<b>EC Section 47605(b)(5)(C) CCR, Title 5, Section 11967.5.1(f)(3)</b>
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<b>Evaluation Criteria</b>	
The method for measuring pupil progress, as required by EC Section 47605(b)(5)(C), at a minimum:	
(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.	No
(B) Includes the annual assessment results from the Statewide Testing and Reporting (STAR) program.	Yes
(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.	No
<b>Does the petition present a reasonably comprehensive description of the method for measuring pupil progress?</b>	<b>No</b>

**Comments:**  
 The petition describes in very global terms a variety of assessment measures that are used to evaluate student academic performance in addition to state-mandated tests. The petition notes that pre- and post-testing, portfolio evaluation, criteria and norm referenced tests, and teacher observation are the primary tools for measurement of goals. This section of the charter contains generic descriptions of various types of tests (such as portfolio evaluation, norm-referenced exams, performance-based exams, etc.), but it provides little information about specific assessments used at the school. The charter states that faculty and administrative staff meet four times each year to review assessment outcomes and to develop responsive strategies. "Students with low skill levels...are tracked for consideration of special education referral and/or learning enrichment, such as tutoring or homework assistance." There is no specific information in the charter regarding the components of a data analysis system, how it is or would be used to improve the instructional program at Lifeline, or how results are communicated to staff and parents. The LACOE cited the lack of a comprehensive plan for collecting, analyzing, and reporting student performance as a reason for denial in its findings of fact.

<b>4. GOVERNANCE STRUCTURE</b>	<b>EC Section 47605(b)(5)(D) CCR, Title 5, Section 11967.5.1(f)(4)</b>
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<b>Evaluation Criteria</b>	
The governance structure of the school, including, but not limited to, the process...to ensure parental involvement..., as required by EC Section 47605(b)(5)(D), at a minimum:	
(A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.	Yes

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 12 of 28

Petitioner <p style="text-align: center; margin: 0;"><b>Lifeline Education Charter School</b></p>
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<b>4. GOVERNANCE STRUCTURE</b>	<b>EC Section 47605(b)(5)(D) CCR, Title 5, Section 11967.5.1(f)(4)</b>
(B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:: <ol style="list-style-type: none"> <li>1. The charter school will become and remain a viable enterprise.</li> <li>2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians).</li> <li>3. The educational program will be successful.</li> </ol>	<b>No</b>
<b>Does the petition present a reasonably comprehensive description of the school's governance structure?</b>	<b>No</b>
<b>Comments:</b> Lifeline has been established as a nonprofit public benefit corporation. According to the corporation's articles of incorporation, the initial board of directors will consist of not less than three members who are residents of California. The bylaws indicate the governing board will consist of three but no more than seven members. The charter states that the governing board will include, at a minimum, a representative of the public, a representative of the chartering district, and a parent. Although the Compton USD's findings of fact indicate there are currently four governing board members, we can find no information in the petition that lists the governing board members or their areas of expertise. The charter states there will be a Site Advisory Council with three to five members that will represent primary stakeholders, especially parents. The charter further states that the school will follow the Brown Act, the Public Records Act, and conflict of interest statutes, specifically <i>Government Code</i> 1090. Based on a review of the corporation's bylaws, CDE staff has a number of concerns related to transparency and the composition of the board: <ul style="list-style-type: none"> <li>• There is no information regarding the current board of directors, how they were elected, or their qualifications or expertise. Furthermore, the bylaws contain no provisions regarding the method of selection for board members.</li> <li>• Article VI (Sections 1, 2, 3, and 5) of the bylaws appear to severely restrict public access to governing board meetings by providing for one annual meeting, allowing general and special meetings without notice, a waiver of the notification of meetings, and action to be taken without a meeting. These provisions are inconsistent with the Brown Act.</li> <li>• There is no evidence that the articles of incorporation were approved by the Secretary of State's Office.</li> <li>• There is provision in the charter for the inclusion of a voting representative of the chartering district on the governing board. If the charter is approved, this provision would need to be changed to allow for a voting representative of the SBE to be appointed if the SBE chooses to do so.</li> </ul>	

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07

Attachment 1

Page 13 of 28

Petitioner

**Lifeline Education Charter School**

<b>4. GOVERNANCE STRUCTURE</b>	<b>EC Section 47605(b)(5)(D) CCR, Title 5, Section 11967.5.1(f)(4)</b>
<p>Both Compton USD and LACOE identified a number of additional problems in their reasons for denial, including a vague and confusing description of the governance structure, a lack of description of qualifications of governing board members, discrepancies between the charter and bylaws regarding the responsibilities of the Site Advisory Council, and inconsistent conflict of interest provisions. CDE staff concurs with the majority of the district and county office findings.</p> <p>If the charter is approved by the SBE, CDE staff recommends the school address all of these concerns in the bylaws and the petition, as appropriate. Under the provisions of the MOU between the SBE and the school, Lifeline would be required to adopt a conflict of interest policy and document that board members receive training in the provisions of the Brown Act.</p>	

<b>5. EMPLOYEE QUALIFICATIONS</b>	<b>EC Section 47605(b)(5)(E) CCR, Title 5, Section 11967.5.1(f)(5)</b>
<b>Evaluation Criteria</b>	
The qualifications [of the school's employees], as required by <i>EC Section 47605(b)(5)(E)</i> , at a minimum:	
(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school's faculty, staff, and pupils.	Limited
(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.	No
(C) Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.	No
<b>Does the petition present a reasonably comprehensive description of employee qualifications?</b>	<b>No</b>

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>5. EMPLOYEE QUALIFICATIONS</b>	<b>EC Section 47605(b)(5)(E) CCR, Title 5, Section 11967.5.1(f)(5)</b>
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**Comments:**  
 The petition states that all teachers will be highly qualified under NCLB, and that they will pass required background checks and medical exams, such as the tuberculosis screening. The charter does not describe the general qualifications for other categories of employees except to quote NCLB requirements for paraprofessionals. There is no explicit statement that teachers will hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in a non-charter public school would be required to hold, although that seems to be presumed under the description of NCLB requirements. The charter does not identify those positions that are regarded as key, nor is there a statement in the charter to the effect that all requirements for employment set forth in statute will be met. All employees of the school will be “at-will” employees.

We note that the Compton USD reasons for denial indicated that in 2006-07, six of 12 teachers employed by the school did not have regular teaching credentials or they were provisional in nature. The supplemental information submitted to CDE with the petition indicates that two teachers out of 12 had clear credentials, two held preliminary credentials, and the rest of the teachers were in various states of completing work to obtain a credential. The ACCS may wish to question petitioners regarding the qualifications of teaching staff for the 2007-08 school year, and what recruitment strategies are being employed to ensure the school has a strong cadre of highly qualified teachers for the upcoming year.

<b>6. HEALTH AND SAFETY PROCEDURES</b>	<b>EC Section 47605(b)(5)(F) CCR, Title 5, Section 11967.5.1(f)(6)</b>
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<b>Evaluation Criteria</b>	
The procedures...to ensure the health and safety of pupils and staff, as required by <i>EC Section 47605(b)(5)(F)</i> , at a minimum:	
(A) Require that each employee of the school furnish the school with a criminal record summary as described in <i>EC Section 44237</i> .	Yes
(B) Include the examination of faculty and staff for tuberculosis as described in <i>EC Section 49406</i> .	Yes
(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.	No
(D) Provide for the screening of pupils’ vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.	No
<b>Does the petition present a reasonably comprehensive description of health and safety procedures?</b>	<b>No</b>

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>6. HEALTH AND SAFETY PROCEDURES</b>	<b>EC Section 47605(b)(5)(F) CCR, Title 5, Section 11967.5.1(f)(6)</b>
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**Comments:**  
 The charter petition states that Lifeline has adopted and implemented “a comprehensive set of policies to ensure that the health and safety of pupils and staff are protected...” The charter further states that a safety committee has been established to “carry out all safety issues and concerns...” The list of items covered in the safety plan does not appear to be comprehensive; however, the actual policies and procedures were not included with the charter making it difficult to determine the sufficiency of health and safety procedures. If the charter is approved by the SBE, this matter will be addressed in the MOU between the school and CDE.

<b>7. RACIAL AND ETHNIC BALANCE</b>	<b>EC Section 47605(b)(5)(G) CCR, Title 5, Section 11967.5.1(f)(7)</b>
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**Evaluation Criteria**  
 Recognizing the limitations on admissions to charter schools imposed by *EC* Section 47605(d), the means by which the school(s) 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..., as required by *EC* Section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.

<b>Does the petition present a reasonably comprehensive description of means for achieving racial and ethnic balance?</b>	<b>Uncertain</b>
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**Comments:**  
 This section of the petition maintains that Lifeline actively recruits “students that reflect the diverse population of the state of California.” The petition states in general terms the recruitment strategies used by the school, such as, advertising in community newspapers, participating in local fairs and community gatherings, and developing relationships with community leaders, churches and businesses.

<b>8. ADMISSION REQUIREMENTS, IF APPLICABLE</b>	<b>EC Section 47605(b)(5)(H) CCR, Title 5, Section 11967.5.1(f)(8)</b>
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**Evaluation Criteria**  
 To the extent admission requirements are included in keeping with *EC* Section 47605(b)(5)(H); the requirements shall be in compliance with the requirements of *EC* Section 47605(d) and any other applicable provision of law.

<b>Does the petition present a reasonably comprehensive description of admission requirements?</b>	<b>No</b>
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California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 16 of 28

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>8. ADMISSION REQUIREMENTS, IF APPLICABLE</b>	<b>EC Section 47605(b)(5)(H) CCR, Title 5, Section 11967.5.1(f)(8)</b>
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**Comments:**  
 As described under the staff comments in the Affirmation of Specified Conditions on pages 6-7 of this analysis, the admissions preferences stated in the Lifeline petition appear to be incomplete and inconsistent with statute. Page 44 of the petition states that admission preferences will be given to “siblings of returning students and/or children of the school’s founders as permitted by federal guidance...” It is not explicitly stated whether returning students are also granted admission preference. Nor is there any indication that students within the territorial jurisdiction of the district would be granted preference. The charter indicates a public drawing will be held on August 2 in the event that the school is over subscribed. CDE staff recommends the petitioners clarify admissions preferences and that they be in keeping with state law and federal guidelines. Petitioners are advised to consult the most recent federal non regulatory guidance regarding admission preferences and exemptions from the lottery, since it might impact the school’s eligibility for specific federal program funds.

<b>9. ANNUAL INDEPENDENT FINANCIAL AUDITS</b>	<b>EC Section 47605(b)(5)(I) CCR, Title 5, Section 11967.5.1(f)(9)</b>
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<b>Evaluation Criteria</b>	
The manner in which annual independent financial audits shall be conducted using generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the SBE’s satisfaction, as required by EC Section 47605(b)(5)(I), at a minimum:	
(A) Specify who is responsible for contracting and overseeing the independent audit.	No
(B) Specify that the auditor will have experience in education finance.	No
(C) Outline the process of providing audit reports to the State Board of Education, California Department of Education, or other agency as the State Board of Education may direct, and specifying the timeline in which audit exceptions will typically be addressed.	Partially
(D) Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions.	No
<b>Does the petition present a reasonably comprehensive description of annual independent financial audits?</b>	<b>No</b>

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 17 of 28

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>9. ANNUAL INDEPENDENT FINANCIAL AUDITS</b>	<b>EC Section 47605(b)(5)(I) CCR, Title 5, Section 11967.5.1(f)(9)</b>
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**Comments:**  
 The petition includes very general information regarding the conduct of the audit process. The petition does not specify who is responsible for overseeing the audit, that the auditor will have experience in education finance, or that the auditor will be selected from the Controller's Certified Public Accountants Directory. Further, there is no statement in the petition that the audit will be submitted to the required entities by the statutory deadline. The petition indicates that audit exceptions and deficiencies will be resolved to the satisfaction of the Los Angeles County Office of Education within 90 days.

CDE staff recommends language be included that clearly states the auditor will be selected from the Certified Public Accountants Directory published by the State Controller's Office, and that the audit will be conducted pursuant to *EC* Section 41020, the Standards and Procedures for Audits of California K-12 Local Educational Agencies and in accordance with generally accepted accounting principles applicable to the school, and to the extent required by applicable federal law, the audit scope will be expanded to include items and processes specified in any applicable Office of Management and Budget Circulars. Additional language needs to be added to state that any audit deficiencies shall be resolved to the satisfaction of the SBE rather than LACOE and that any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process specified in the charter or if applicable, referred to the Education Audit Appeals Panel (EAAP) appeal process (*EC* Section 41344). Finally, the list of entities to which the annual audit must be sent by December 15 should include the SBE, the CDE, the State Controller, and the LACOE.

<b>10. SUSPENSION AND EXPULSION PROCEDURES</b>	<b>EC Section 47605(b)(5)(J) CCR, Title 5, Section 11967.5.1(f)(10)</b>
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<b>Evaluation Criteria</b>	
The procedures by which pupils can be suspended or expelled, as required by <i>EC</i> Section 47605(b)(5)(J), at a minimum:	
(A) Identify a 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, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.	Yes
(B) Identify the procedures by which pupils can be suspended or expelled.	Yes
(C) 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 regard to suspension or expulsion.	Partially

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 18 of 28

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>10. SUSPENSION AND EXPULSION PROCEDURES</b>	<i>EC Section 47605(b)(5)(J) CCR, Title 5, Section 11967.5.1(f)(10)</i>
(D) Provide 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 petitioners believe their 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).	Yes
(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D): 1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in...regard to suspension and expulsion. 2. 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.	No
<b>Does the petition present a reasonably comprehensive description of suspension and expulsion procedures?</b>	<b>Partially</b>
<b>Comments:</b> The petition contains a suspension and expulsion policy that is comprehensive in its description of offenses for which students may be suspended or expelled, the expulsion process, and procedures for notifying parents. However, the suspension and expulsion procedures do not provide information to parents regarding due process rights. The charter states only that parents will be contacted or notified, depending on the infraction. Although the charter states that the handbook describes due process procedures for special education students, staff can find no such provisions for students with disabilities. The charter states on page 46 that clear expectations for student conduct have been established for students participating in "group study programs." However, there is no description of what those programs are or if disciplinary procedures differ for students participating in these programs. There is no description of a process for periodically reviewing and modifying the procedures. Finally, it is unclear how and when students and parents are provided copies of the Student/Parent Handbook. If the charter is approved, the school will be required to modify the suspension and expulsion procedures to be consistent with the requirements of the MOU with the SBE under which the school will operate.	

<b>11. STRS, PERS, AND SOCIAL SECURITY COVERAGE</b>	<i>EC Section 47605(b)(5)(K) CCR, Title 5, Section 11967.5.1(f)(11)</i>
<b>Evaluation Criteria</b> The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security, as required by EC Section 47605(b) (5) (K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.	

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 19 of 28

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>11. STRS, PERS, AND SOCIAL SECURITY COVERAGE</b>	<b>EC Section 47605(b)(5)(K) CCR, Title 5, Section 11967.5.1(f)(11)</b>
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<b>Does the petition present a reasonably comprehensive description of STRS, PERS, and social security coverage?</b>	<b>No</b>
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**Comments:**  
 The Lifeline petition states that school employees will participate in STRS or PERS, as appropriate and further indicates that the governing board has the option to add additional retirement plans such as a 403B plan. This limited description lacks specificity with respect to the actual plan being offered to employees, the positions to be covered under each system, and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made. It does appear from financial documents submitted by Lifeline that money is being withheld for PERS and STRS contributions. If the ACCS recommends to the SBE that it approve the petition, CDE staff recommends the petition be amended to provide definitive information to address this element.

<b>12. PUBLIC SCHOOL ATTENDANCE ALTERNATIVES</b>	<b>EC Section 47605(b)(5)(L) CCR, Title 5, Section 11967.5.1(f)(12)</b>
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**Evaluation Criteria**  
 The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by EC Section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed 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.

<b>Does the petition present a reasonably comprehensive description of public school attendance alternatives?</b>	<b>Yes</b>
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**Comments:**  
 The petition is clear that no student would be required to attend this school.

<b>13. POST-EMPLOYMENT RIGHTS OF EMPLOYEES</b>	<b>EC Section 47605(b)(5)(M) CCR, Title 5, Section 11967.5.1(f)(13)</b>
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**Evaluation Criteria**  
 The description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by EC Section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:

(A) Any rights upon leaving the employment of a local education agency to work in the charter school that the local education agency may specify.	No
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California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 20 of 28

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>13. POST-EMPLOYMENT RIGHTS OF EMPLOYEES</b>	<i><b>EC Section 47605(b)(5)(M) CCR, Title 5, Section 11967.5.1(f)(13)</b></i>
(B) Any rights of return to employment in a local education agency after employment in the charter school as the local education agency may specify.	Yes
(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.	No
<b>Does the petition present a reasonably comprehensive description of post-employment rights of employees?</b>	<b>No</b>
<p><b>Comments:</b>                      The petition is clear that the school's employees essentially would have only a right of return to the LACOE employer to the extent authorized by the county. Employees who were not previous employees of the county will have no rights of employment with the county after they leave Lifeline If the charter is approved by the SBE, staff recommends the following language be added to the charter:</p> <p>An employee of the charter school shall have the following rights:</p> <p style="margin-left: 20px;">(A) Any rights upon leaving the employment of a local education agency to work in the charter school that the local education agency may specify.</p> <p style="margin-left: 20px;">(B) Any rights of return to employment in a local education agency after employment in the charter school as the local education agency may specify.</p> <p style="margin-left: 20px;">(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the State Board of Education determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.</p>	
<b>14. DISPUTE RESOLUTION PROCEDURES</b>	<i><b>EC Section 47605(b)(5)(N) CCR, Title 5, Section 11967.5.1(f)(14)</b></i>
<p><b>Evaluation Criteria</b>                      The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by <i>EC Section 47605(b)(5)(N)</i>, at a minimum:</p>	
(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not a local education agency.	No
(B) Describe how the costs of the dispute resolution process, if needed, would be funded.	Yes

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07

Attachment 1

Page 21 of 28

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>14. DISPUTE RESOLUTION PROCEDURES</b>	<b><i>EC Section 47605(b)(5)(N) CCR, Title 5, Section 11967.5.1(f)(14)</i></b>
(C) Recognize that, because it is not a local education agency, the State Board of Education may choose resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the State Board of Education intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.	No
(D) 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 <i>EC Section 47604.5</i> , the matter will be addressed at the State Board of Education's discretion in accordance with that provision of law and any regulations pertaining thereto.	No
<b>Does the petition present a reasonably comprehensive description of dispute resolution procedures?</b>	<b>No</b>

California Department of Education  
2007-08 CHARTER SCHOOL PETITION REVIEW FORM

sdob-csd-sep07item07

Attachment 1

Page 22 of 28

Petitioner

**Lifeline Education Charter School**

**14. DISPUTE RESOLUTION PROCEDURES**

**EC Section 47605(b)(5)(N)  
CCR, Title 5, Section 11967.5.1(f)(14)**

**Comments:**

The petition has not been amended to reflect the SBE as the authorizer, and does not recognize the SBE's prerogative to resolve disputes directly as required by regulation. The petition does require non-binding arbitration with costs to be borne equally by both the school and its authorizer. CDE staff recommends the following provisions be added in the event this charter is approved by the SBE:

- Include any specific provisions relating to dispute resolution that the State Board of Education determines necessary and appropriate in recognition of the fact that the State Board of Education is not a local education agency.
- Describe how the costs of the dispute resolution process, if needed, would be funded.
- Recognize that, because it is not a local education agency, the State Board of Education may choose resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the State Board of Education intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.
- 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 Education Code section 47604.5, the matter will be addressed at the State Board of Education's discretion in accordance with that provision of law and any regulations pertaining thereto.

The charter indicates that the Lifeline governing board will adopt policies and processes for airing and resolving internal and external disputes. However, no such procedures are provided with the charter. There is language stating that LACOE would have to initially refer all complaints regarding the school operations to Lifeline. This provision would need to be eliminated if the SBE approves the school.

There are other technical changes that need to be made in the revocation part of this section to reflect the SBE rather than the LACOE as the authorizer and to eliminate language that would limit the SBE's oversight and monitoring abilities if this petition is approved by the SBE.

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 23 of 28

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

<b>15. EXCLUSIVE PUBLIC SCHOOL EMPLOYER</b>	<b>EC Section 47605(b)(5)(O) CCR, Title 5, Section 11967.5.1(f)(15)</b>
<b>Evaluation Criteria</b> The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the <i>Government Code</i> ), as required by <i>EC Section 47605(b)(5)(O)</i> , recognizes that the SBE is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act.	
<b>Does the petition include the necessary declaration?</b>	<b>Yes</b>
<b>Comments:</b> The petition indicates that Lifeline will be the exclusive public school employer for collective bargaining purposes.	

<b>16. CLOSURE PROCEDURES</b>	<b>EC Section 47605(b)(5)(P)</b>
<b>Evaluation Criteria</b> A description of the procedures to be used if the charter school closes, in keeping with <i>EC Section 47605(b) (5) (P)</i> . The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.	
<b>Does the petition include a reasonably comprehensive description of closure procedures?</b>	<b>No</b>
<b>Comments:</b> The petition includes a very general description of closure procedures and the disposition of assets. For example, the petition refers to parents receiving transcripts of student’s academic progress and “other relevant information” each semester. Therefore, in the event of a school closure parents will already possess necessary pupil records. Further, the petition states that the board of directors <u>may</u> also provide for the transfer of records to a responsible and willing school district, county office, or other qualified entity.  The MOU between the SBE and the charter schools it approves requires detailed information to be provided regarding school closure before the school opens. In the event the charter is approved, CDE staff recommends that the charter be amended to address, at a minimum, the requirements of law and the recently adopted closure regulations. More specific detail can be included in the procedures to be submitted to CDE prior to the school opening.	

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

Petitioner	<b>Lifeline Education Charter School</b>
------------	--

**ADDITIONAL REQUIREMENTS UNDER EC SECTION 47605**

<b>STANDARDS, ASSESSMENTS, AND PARENT CONSULTATION</b>	<b>EC Section 47605(c)</b>
<b>Evaluation Criteria</b> Evidence is provided that:	
(1) The school shall meet all statewide standards and conduct the pupil assessments required pursuant to <i>EC</i> sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.	Yes
(2) The school shall, on a regular basis, consult with their parents and teachers regarding the school's educational programs.	No
<b>Does the petition provide evidence addressing the requirements regarding standards, assessments, and parent consultation?</b>	<b>Partially</b>
<b>Comments:</b> The petition states that curricula will be aligned to state standards and there is a commitment on the part of the school to conduct required pupil assessments. The charter describes a curriculum team that regularly reviews assessment data including Scantron assessments that are given three times each year. There does not appear to be an established process for consulting with parents regarding the school's educational programs.	

<b>EMPLOYMENT IS VOLUNTARY</b>	<b>EC Section 47605(e)</b>
<b>Evaluation Criteria</b> The governing board...shall not require any employee...to be employed in a charter school.	
<b>Does the petition meet this criterion?</b>	<b>Yes</b>
<b>Comments:</b> While this statement is not specifically made within the petition, it is clear that no employee will be required to be employed in the charter school.	

<b>PUPIL ATTENDANCE IS VOLUNTARY</b>	<b>EC Section 47605(f)</b>
<b>Evaluation Criteria</b> The governing board...shall not require any pupil...to attend a charter school.	
<b>Does the petition meet this criterion?</b>	<b>Yes</b>

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 25 of 28

Petitioner	<b>Lifeline Education Charter School</b>
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<b>PUPIL ATTENDANCE IS VOLUNTARY</b>	<b>EC Section 47605(f)</b>
<b>Comments:</b> It is clear that attendance at the school would be voluntary.	

<b>EFFECT ON AUTHORIZER AND FINANCIAL PROJECTIONS</b>	<b>EC Section 47605(g)</b>
<b>Evaluation Criteria</b> ...[T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:	
<ul style="list-style-type: none"> <li>• The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate.</li> </ul>	Yes
<ul style="list-style-type: none"> <li>• The manner in which administrative services of the school are to be provided.</li> </ul>	No
<ul style="list-style-type: none"> <li>• Potential civil liability effects, if any upon the school and the SBE.</li> </ul>	No
The petitioners shall also 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.	
<b>Does the petition provide the required information and financial projections?</b>	<b>No</b>
<b>Comments:</b> The Lifeline petition includes two signed leases for facilities located in Compton. One facility housed grades 9-12 and the other grades 6-8. Both of the leases expired June 30, 2007, and there is no information regarding whether the leases have been renewed or if new facilities have been secured for the 2007-08 school year. Information submitted to LACOE to meet its charter petition requirements indicated that Lifeline's long range plans include the acquisition of property to house grades 6-12 and that the school has approximately \$500,000 in a reserve account for that purpose.  The Gorman Learning Center had been providing administrative services to Lifeline when it was chartered by the Gorman Elementary School District; however the current petition anticipated that either Compton USD or LACOE would be the charter authorizer and that the school would contract with the county for some of its administrative services (payroll and PERS/STRS reporting) and provide the rest of its administrative services in-house and through contracted services with an individual who is a "Certified Business Professional" and certified public accountant.  Lifeline submitted a copy of its 2006 independent audit which contained the first interim consolidated statement report for 2006-07. However, the school did not submit the required multiyear projections or cash flow statements. Information submitted to LACOE by Lifeline states that financial projections for the next three years are currently being prepared by the school's "Certified Business Professional." The first interim report contained	

California Department of Education  
2007-08 CHARTER SCHOOL PETITION REVIEW FORM

sdob-csd-sep07item07

Attachment 1

Page 26 of 28

Petitioner

**Lifeline Education Charter School**

**EFFECT ON AUTHORIZER AND FINANCIAL PROJECTIONS**

**EC Section 47605(g)**

a number of significant changes between the 2006-07 budget and the projected 2007-08 budget which are unexplained. Both the district and county, in their reasons for denial, identified the lack of financial information as a major concern. Further, the LACOE reasons for denial indicate that during the public hearing the petitioners indicated that there were budget deficits that would be covered by grants from foundations. Staff recommends that if the ACCS recommends approval of this charter, it do so only after the submission of complete financial documentation by the school and review by CDE staff.

Following are CDE staff comments on Budget Assumptions:

- Attendance is reasonably projected at 95 percent
- Projected revenues for the General Purpose Entitlement (state aid) and the Categorical Block Grant are understated by approximately \$40,000 and \$14,000 based on actual P-2 revenues.
- The following expenditure areas reflect significant changes from the 2005-06 audited actuals to the 2006-07 interim budget figures:
  - Teacher salaries increased approximately 59 percent or \$209,000
  - Classified Admin increased approximately 25 percent or \$41,500
  - Total Employee Benefits increased approximately 29 percent or \$91,000
  - Approved Textbooks decreased approximately 35 percent or \$30,000
  - Books & Other Reference increased approximately 207 percent or \$26,000
  - Instructional materials increased approximately \$18,000, from \$274 to \$19,000
  - Travel & Conferences increased approximately 182 percent or \$23,000
  - Operations & Housekeeping increased approximately 98 percent or \$20,000
  - Legal expenditures increased approximately 470 percent or \$66,000
  - Contract Labor decreased by approximately \$23,000
  - Contract Services increased by approximately \$26,000
- Amounts identified as “Economic Uncertainty Reserve” are lower than recommended reserve levels of 4 percent or \$50,000 in the current and projected years; however, if the unappropriated balance is considered, the reserve would exceed the recommended levels.

California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

sdob-csd-sep07item07  
 Attachment 1  
 Page 27 of 28

Petitioner	<b>Lifeline Education Charter School</b>
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<b>ACADEMICALLY LOW ACHIEVING PUPILS</b>	<b>EC Section 47605(h)</b>
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**Evaluation Criteria**  
 In reviewing petitions, the charter authorizer shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioners as academically low achieving...

<b>Does the petition merit preference by the SBE under this criterion?</b>	<b>Uncertain</b>
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**Comments:**  
 The petition states that the primary focus of the school is on the at-risk student population. However, during the prior four years of operation, Lifeline's academic performance has not risen above a statewide API ranking of 2 or a similar schools ranking of 5. The school is currently in the second year of Program Improvement status. It appears to staff, from the school's prior history, that it does not have the capability to provide comprehensive learning experiences to academically low achieving students.

<b>TEACHER CREDENTIALING</b>	<b>EC Section 47605(l)</b>
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**Evaluation Criteria**  
 Teachers in charter schools shall be required to hold a CCTC certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold...It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.

<b>Does the petition meet this requirement?</b>	<b>No</b>
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**Comments:**  
 The petition states that the school will adhere to NCLB requirements, including credentialing, and that all teachers will be "highly qualified." An examination of the credentials of the current teaching staff reveals that there are very few fully qualified teachers on staff (see page 13 of this analysis). The charter does not define which classes are core classes for credentialing purposes.

<b>TRANSMISSION OF AUDIT REPORT</b>	<b>EC Section 47605(m)</b>
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**Evaluation Criteria**  
 A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year...to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited..., and the CDE by December 15 of each year.

<b>Does the petition address this requirement?</b>	<b>No</b>
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California Department of Education  
**2007-08 CHARTER SCHOOL PETITION REVIEW FORM**

Petitioner
<b>Lifeline Education Charter School</b>

<b>TRANSMISSION OF AUDIT REPORT</b>	<b>EC Section 47605(m)</b>
<b>Comments:</b> As noted on page 13 of this analysis, minimal information is provided regarding the annual audit. Clarifications are suggested in regard to the audit provisions.	