

# ACCS Meeting Notes for August 25, 2009

## Advisory Commission on Charter Schools *An Advisory Body to the State Board of Education*

California Department of Education  
1430 N Street, Room 1101  
Sacramento, CA

Tuesday, August 25, 2009

### **MEMBERS PRESENT**

Beth Hunkapiller, Chair  
Dr. Vicki Barber  
Carol Barkley\*  
Brian Bauer  
Paul Cartas  
Gary Davis  
Mark Kushner  
Curtis L. Washington

### **MEMBERS ABSENT**

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\*Carol Barkley is the State Superintendent of Public Instruction's designee.

### **PRINCIPAL STAFF TO THE ADVISORY COMMISSION**

Darrell Parsons, Consultant, CDE Charter Schools Division  
Deborah Probst, Consultant, CDE Charter Schools Division  
Michelle Ruskofsky, Consultant, CDE Charter Schools Division

### **Call to Order**

Chair Hunkapiller called the meeting to order at 10:40 a.m.

### **Flag Salute**

Mr. Kushner led the members, staff, and audience in the Pledge of Allegiance.

### **Introductions**

Chair Hunkapiller invited the members to introduce themselves.

### **Agenda Order**

Chair Hunkapiller announced that the agenda would be followed today as printed with the exception of item eight (SB 740 Funding Determination Request for Mitigating Factors), which will be discussed during item three. Also, item four will be heard prior to item three.

### **Approval of Meeting Notes**

Chair Hunkapiller requested a motion to approve the June 17, 2009, ACCS meeting notes.

**ACTION:** Dr. Barber moved that the June 17, 2009, ACCS meeting notes be approved as presented. Mr. Davis seconded the motion, and it was approved by a vote of 8-0.

### **Public Comment**

Chair Hunkapiller called for public comment on matters not listed on today's agenda.

Jeff Rice of A+PLUS Learning stated that only classroom-based charter schools are eligible for federal stimulus funds for facilities. He requested ACCS members' assistance in spreading the word that nonclassroom-based schools also need facilities and should have eligibility for facilities funding.

Jean Hatch of Redding School of the Arts reported that many charter schools in California may not know about the availability of federal stimulus funds for special education. She then requested ACCS members' assistance in informing the field about the availability of these funds and how to apply.

Dave Patterson of Western Sierra Collegiate Academy (WSCA) announced that WSCA opened yesterday to 150 students, and thanked the ACCS for its support in recommending approval of the WSCA petition to the State Board of Education (SBE). He reported that WSCA rejected the district's Proposition 39 facilities offer and instead located a facility at the Sunset Christian Center in Rocklin. Mr. Patterson also stated that WSCA was accepted into the El Dorado County Charter SELPA, and thanked Dr. Barber for her assistance in facilitating that process.

Hearing no other public comment, Chair Hunkapiller announced that petitioners for today's agenda items would have a total of 15 minutes to make a presentation to the ACCS following presentation of the CDE staff report. Representatives speaking on behalf of the opposition will also have 15 minutes to present. Other members of the public would then have two minutes each to speak about the agenda item.

#### **ITEM 1: Reschedule October 2009 Meeting Date and Schedule Meeting Dates for 2010**

Chair Hunkapiller stated that due to scheduling conflicts, the October ACCS meeting date needs to be rescheduled. Members agreed to hold the meeting on Friday, October 16, 2009. The last ACCS meeting of 2009 will be held on December 9, 2009. Chair Hunkapiller then noted that the 2010 ACCS meeting schedule will be set pending the outcome of future discussions by the SBE concerning the scheduling of charter items on its meeting agendas.

#### **ITEM 2: Proposed California Charter School Accountability Model for Renewal of Charter Term**

Colin Miller representing the California Charter School's Association (CCSA) provided an overview of CCSA's policy and legislative work, and CCSA's efforts in tracking charter school accountability data. He then introduced Ting Sun, CCSA Vice President of Leadership and Quality; and Aiesha Toney, CCSA Senior Data Analyst.

Ms. Sun and Ms. Toney provided ACCS members with an overview of the proposed CCSA model via a PowerPoint presentation entitled "Establishing an Improved Accountability System for Underperforming Charter Schools at the time of Renewal." Ms. Toney noted that in developing this model, CCSA worked to identify a rigorous metric for underperforming schools that would set minimum academic performance criteria for nonrenewal based on the API system, which could be used by a third party and which fairly assesses charter school performance and the students they serve. Ms. Sun and Ms. Toney then explained the "Similar Students Measure" (SSM) used in the proposed model, and explained the methodology in detail for the Commissioners. Ms. Sun stated that CCSA's next steps include soliciting comments from the ACCS; testing and peer review of the model; data analysis of charter schools identified under the SSM; developing an "early warning system" for CCSA members; and exploring advocacy routes with CCSA members, local charter school authorizers, the SBE, the CDE, and the Legislature.

Chair Hunkapiller then opened the item to discussion. Dr. Barber presented a number of questions for CCSA's consideration, including: has CCSA applied this type of analysis to non-charter schools?; how many charter schools would be deemed underperforming under the SSM?; concern with having a different model applied to charter schools than the rest of public school system; why has CCSA chosen to exclude certain factors from the proposed model, such as GATE participation?; has CCSA considered other factors that are not in the API system?; and whether other considerations could be applied to the SSM model, such as the testing reporting cycle?

Mr. Kushner thanked CCSA for the presentation and noted that he is pleased to see data on charter school performance. He also asked whether the proposed model has been finalized. Ms. Sun said that it is still in draft form; and that the CCSA Member Council reviewed the model and requested collection of comments from the field. She also noted that the final version of the model will work towards an accurate measure and one standard for renewal for all charter schools; and that the model offers a minimal school performance measure that would be used as a "floor" for renewal, as opposed to a measure of school quality, which is not necessarily excluded by the SSM.

Chair Hunkapiller thanked Ms. Sun and Ms. Toney for their presentation and invited Rachel Perry, Director, CDE Academic Accountability and Awards Division, to address the ACCS members. Ms. Perry reviewed her Division's role in calculating the API and AYP. She noted that the CDE has been working with CCSA throughout the development of the CCSA's proposed accountability model and does not see any problems with the technical quality of proposal.

Ms. Perry pointed out that CCSA has the flexibility to choose variables in their model that the CDE cannot because the CDE is bound by the variables written in California law. She also noted that high stakes accountability measures such as the API and the similar schools ranking systems as used in renewal decisions for charter schools under current law is not preferable; and that it is important to add another layer of accountability, such as the model proposed by CCSA.

Dr. Barber thanked the CDE for its openness to the CCSA proposal. Mr. Washington stated that he encourages CCSA to maintain an open dialogue with school boards and other charter school and school district associations. Ms. Sun noted that CCSA is working with the Association of California School Administrators (ACSA) and the California School Boards Association (CSBA), among others.

Hearing no additional member discussion, Chair Hunkapiller called for public comment.

Larry Voight stated his opinion that students are sometimes inappropriately placed in independent study programs. He noted that California already has criteria and measures that govern decisions on school and academic performance. Mr. Voight also asked that the ACCS establish criteria for the placement of students in independent study programs.

Eric Premack of the Charter Schools Development Center (CSDC) commended CCSA on their work. He noted that the School Characteristics Index (SCI) was never designed for high stakes decision-making, such as charter school renewal, and that the SCI is also not fixable in its current form. Parent education data and free and reduced-price meal (FRPM) data are “unknown quantities,” and even if data in these categories is accurate, it may be unsound. Mr. Premack also commented that the need for this new accountability model is not known, and that there are much bigger problems to solve in the charter school world. He encouraged the CDE, SBE, CCSA, and others to look at the big picture including the “broken” charter school authorizing system inherent in charter school law. Mr. Premack stated that the current API system is flawed and should not be relied upon by CCSA in its proposed model.

Dave Patterson of the Rocklin Academy Charter School stated that he knows personally of the issues relating to charter school authorizer problems and that the system needs to be fixed. He also stated that he is on the CCSA Member Council and assured the ACCS that Dr. Barber’s level of questioning has been covered by CCSA. Mr. Patterson noted that CCSA’s proposed model has a bigger vision for the future because it addresses the current, broken system by setting a necessary “floor” for charter school accountability.

#### **ITEM 4: Appeal of Nonrenewal by Colton Joint Unified School District of Nova Meridian Charter School**

Ms. Barkley introduced the agenda item and reviewed for ACCS members the standard of review for an appeal to the SBE of a non-renewal of a charter by a local authorizer. Mr. Parsons then presented the CDE staff report on the Nova Meridian Charter School (Nova) petition appeal for charter renewal. He stated that the CDE is recommending denial of the renewal appeal because of concerns about the school’s academic performance and API scores, the school’s lack of internal fiscal controls, overall capacity and governance structure issues, and the school’s budgetary problems.

Dr. Barber thanked Mr. Parsons for his report, and asked about an apparent discrepancy regarding racial and ethnic balance data reflected in two separate sections of the CDE staff report. Mr. Parsons explained that one set of data is reported from CBEDS (actual), and the other set is from API testing data (projections). Chair Hunkapiller then invited the petitioners to speak on behalf of their charter renewal petition.

Nyasha Williams, principal of Nova Meridian Charter School, reviewed the school’s accomplishments since opening two years ago; the school’s small learning community that is focused on the AVID program and college preparatory programs; that all students at Nova are enrolled in AVID; and students are attracted to the school’s small classes, college preparatory offerings, and after-school tutoring program. She stated that the school’s API was 735 in its first year, and its second-year API is 781. Ms. Williams noted that the school has received WASC candidacy status and could get full accreditation this year. Ms. Williams stated that Nova had a “rocky” first year because of personnel issues, and that she joined the school and assisted in making positive changes such as meeting all district deadlines and ensuring smooth school operations. Ms. Williams then reviewed the school’s interview processes for incoming students, where the school ensures that students understand the AVID program’s criteria and expectations and does not operate to screen-out any students. She also assured ACCS members that students sign a contract when they enroll in the school, but if a student does not meet specific requirements in the contract they are not disenrolled. The purpose of the contract is to introduce students and parents to the school and provide full notice about the program.

Lastly, Ms. Williams noted that at the end of the last school year teachers were trained on a new data assessment model that will be implemented in 2009-10 to increase student math proficiency levels.

Peter Lau, Senior Vice President of EdTech, representing the petitioners, addressed the school's budgetary and operational issues. He noted that the school's issues regarding its budget, STRS reporting, and audit exceptions were "overblown" by the district and county. Regarding the budget, he stated that the school had a large drop in enrollment that the district and county were not pleased with. The proposed budget included enrollment projections that did not match the most current ADA amounts because of continuous changes in the state's budget. The school submitted revised budgets when requested, and feels that the current school budget is rational and accurate. Concerning the STRS reporting issues, Mr. Lau noted that the school experienced problems working with the county, and STRS reporting was not set up until June of the school's first operating year. The school was assessed a penalty fee to make up for this error. Finally, Mr. Lau stated that the purported audit exceptions did not exist in the audit, and that the school had a clean audit.

Lisa Corr of Middleton, Young & Minney (MY&M), also representing the petitioners, noted that Nova has only been in operation for two years. She stated that it is difficult to review a school after only two years of operation because there exists only one year of operational experience and performance data when it is time to apply for charter renewal. Ms. Corr noted that the district did not allow for an extension of the charter term because of the district's focus on its own finances and other district-focused concerns. She stated that Nova is the highest performing school in the district and reiterated that the school accepts all students that it has room for. Finally, Ms. Corr assured ACCS members that MY&M will work with the school to improve and strengthen its governance structure and internal controls.

Chair Hunkapiller then invited those speaking in opposition to the Nova charter non-renewal appeal to address the ACCS. Dennis Mobley, Governance Liaison and Legislative Analyst for the San Bernardino Superintendent of Schools, explained the process for the county's development of its staff review of a charter appeal. He commended Nova's education program overall and its use of AVID, despite the school's low math scores. Mr. Mobley noted, however, the school's governance problems, weak finance and business operations, and concerns about the school's relationship with its SELPA. On balance, the county did not find the charter renewal petition sufficient to support renewal of the Nova charter. Mr. Mobley added that the problems identified by Nova concerning STRS reporting issues with the county are new to him, and that the county office has experience dealing with STRS reporting for 30 other charter schools in the county.

Chair Hunkapiller then asked for discussion from the ACCS members. Dr. Barber asked for clarification from Mr. Mobley about the school's special education program. Mr. Mobley stated that the county's petition review team noted concerns with how the Nova petition was written, and did not express concerns with how the county delivers special education services via its own SELPA.

Mr. Kushner asked about the school's governance issues, noting that it appeared Nova's back office support problems and alleged Brown Act violations can be fixed. Mr. Mobley stated that they identified conflict of interest issues with a Nova governing board member, but did not make specific findings amounting to a violation of law. He noted that the review team found "enough issues to add up to major concerns" about the school. Chair Hunkapiller asked about the composition of the review team and why the members were not present today. Mr. Mobley said that that an 11-member committee reviewed the Nova petition and that he was present today to represent the County Superintendent.

Chair Hunkapiller stated that the ACCS had the following issues remaining to consider: school budget, demographics, student outreach efforts, length of charter term granted by the district, governance, and internal controls. Commissioners then asked Mr. Parsons additional questions. Chair Hunkapiller asked Mr. Parsons about Nova's budget and the impact of state funding reductions. Mr. Parsons noted that the CDE is aware of the state's fiscal realities and worked with the petitioners to get an updated budget; however, the school's budget figures that were developed internally were constantly changing, making it difficult for the CDE to get a clear picture of the school's finances. Dr. Barber asked about the 14 findings in the Nova audit report, noted in the CDE staff report, and whether they had been remedied. Mr. Parsons stated that the petitioners claim that they have remedied some of the issues; but that this unresolved matter is just one among many that add up to overall concerns about the school's ability to operate without substantial oversight from its authorizer.

ACCS members then asked the petitioners additional questions. Mr. Kushner asked about EdTech's experience working with Nova. Mr. Lau stated that EdTech will continue to represent the school, and again, that the financial concerns about Nova are "overblown." He noted that the school has check-signing procedures in place, and that

MY&M will provide training to the governing board on the Brown Act and conflicts of interest procedures. Mr. Kushner also pointed out Nova's strong API scores, and his opinion that the school is likely to implement good education programs in the future. Mr. Bauer agreed with Mr. Kushner, noting that concerns exist but that they are not insurmountable.

Dr. Barber asked Mr. Lau to address the findings in the audit report. Mr. Lau reported that he works with 30 schools, and only Nova had 14 audit findings. Dr. Barber noted her strong concern. Mr. Lau reviewed the auditor's letter included with the audit report, which indicates no material concerns with school's internal controls, and refers to the findings as part of audit process. Mr. Lau stated that they are only audit findings, and not audit exceptions; and that findings are "relatively common."

Mr. Cartas expressed concern about the school's governance issues and its capacity to operate without significant oversight from its authorizer. He does not believe that a Brown Act training session and strengthened internal controls will fix Nova's problems for the long-term. Dr. Barber also expressed strong concerns with Nova, particularly its financial reporting problems. Dr. Barber noted that she would be more amenable to the school's petition if it had brought forward evidence of corrections in procedures and responses to its governance and fiscal issues. Chair Hunkapiller restated the philosophical issue about making a charter renewal decision based on only two years of a school's operation. She pointed out that it is apparent from all of the issues discussed today that the school could have benefitted from a full five-year charter to sort out its operational problems.

Hearing no additional member discussion, Chair Hunkapiller called for public comment.

Eric Premack of CSDC stated that he does not work with Nova professionally, but agrees with Dr. Barber about the seriousness of the school's internal controls; however, he noted that this issue is easily remedied. Mr. Premack stated that approximately 95 percent of schools CSDC works with have identical issues in their first two years of operation; that it is difficult for charter schools to draft three-year budget projections because of unknown fiscal realities with the state budget; and that he recommends the ACCS approve the Nova renewal petition with the condition that the school hire a strong and knowledgeable governing board treasurer.

Ryan Easton, a teacher at Nova, shared with ACCS members his positive experience at Nova, including the school's small class sizes, the students, after-school tutoring programs, and the school's API gains from its first to its second year of operation. Mr. Easton noted that Nova's academics are strong and that the teachers and staff work together to provide a great education for all Nova students.

Mary Valdemar, a parent of a Nova student and member of the Nova Parent Leadership Organization, shared her belief that the petition appeal process lacks a process to collect input from parents of the school. She stated that the Nova parents do not have concerns about the school's solvency, management, and fiscal issues. Mr. Valdemar noted that her daughter has received great special needs support from Nova, and that students attend the school because of Nova's quality of instruction. She emphasized that parent choice should be strongly considered in this appeals process.

Nicole Lawrence, a student at Nova, stated that Nova students feel very vulnerable now their school is closed. She said that Nova gave them confidence, helped them focus on their future and college, and that students want Nova to stay open to help them go to college and help other students in the future have the same opportunities.

Hearing no additional public comment, Chair Hunkapiller invited additional discussion from ACCS members. Dr. Barber stated that the student commenter was compelling, and noted that every student at Nova is in the AVID program. Dr. Barber stated that if she was to support the school's petition for renewal, she would prefer that conditions are placed regarding the school's finances, governance, student recruitment activities, and that expertise will continue via long-term contracts with MY&M and EdTech. Mr. Bauer asked about the possibility of renewing the school for less than a five-year term. Ms. Barkley reminded members that California law requires renewals to be granted for five years. Other members continued discussion about the implications for renewing Nova under the oversight of the SBE; concerns about the school's governing abilities; and the compelling testimony of the parent and student from Nova. Chair Hunkapiller asked for a motion.

**MOTION:** Mr. Kushner moved for approval of the Nova Meridian Charter School petition for charter renewal with the conditions as stated in the CDE report, and with additional conditions as follows: submission of a revised three-year budget; submission of an action plan and completion of governance, conflict of interest, and Brown Act trainings; implementing changes and/or addressing

the findings in the audit report; and documenting and implementing a student outreach program to more accurately represent the demographics of the student population in the district, particularly for traditionally underserved students. Mr. Davis seconded the motion.

ACCS members then discussed the motion. Mr. Kushner encouraged the petitioners to create an action plan to address the conditions as stated in the motion prior to the September SBE meeting. Mr. Washington noted his appreciation of the motion, and pointed out that the school's improvements in governance and fiscal controls will likely positively influence student performance, especially in math. Mr. Cartas stated that he will probably not vote for the motion because he does not see evidence that the school is prepared for authorization by the SBE. Chair Hunkapiller noted her belief that Nova did not "get a fair shot" when the district only granted the school a three-year charter term, and that the school should have an opportunity to continue operating. Hearing no additional discussion, Chair Hunkapiller called for a vote on the motion.

**ACTION:** The motion passed by a vote of five in favor, and three against.

**Lunch Break:** Chair Hunkapiller called for a break at 2:25 p.m. The meeting reconvened at 3:04 p.m.

### **ITEM 3: Senate Bill 740 Mitigating Circumstances**

Chair Hunkapiller noted that the ACCS has discussed this issue at its last two meetings. In June 2009, the ACCS determined the need for establishing a set of mitigating factors for charter schools to use in funding determinations, and passed a policy regarding Senate Bill (SB) 740 mitigating circumstances by a vote of seven in favor and zero against. CDE legal staff, however, have recently stated that regulations are required to implement the policy. The ACCS now must determine whether to develop regulations or to modify SB 740 funding determinations for mitigating circumstances on a case-by-case basis upon the request of the applicant as currently allowed under statute.

Dr. Barber asked whether schools with current funding determinations would need to resubmit for a modification. Ms. Barkley stated that the standard assumption is that a school will expend funds at the same level during the period of its funding determination and if those expenditures are expected to vary, then a school would need to resubmit. Dr. Barber then noted her three concerns: workload issues for CDE and the field; the need for predictability for the field; and the need for proration of mitigating factors for schools with less than 100 percent funding. She stated her preference for the development of regulations that reflect the ACCS' June policy document, which would allow all schools to receive an appropriate funding determination without the need to apply, or re-apply, as long as they meet the criteria for mitigating circumstances.

Chair Hunkapiller then requested public comment.

Colin Miller of CCSA stated that predictability for the field is essential, and schools need clear direction on what amounts they can spend and what revenues they will receive. He reported that CCSA has drafted emergency regulations regarding this issue and offered his assistance to CDE in preparing a regulations package. Mr. Miller noted that he does not believe regulations are required, however, to implement ACCS's policy on mitigating circumstances.

Eric Premack of CSDC reiterated Mr. Miller's comments. He stated that regulations are not necessary because the statute gives the ACCS broad authority to apply mitigating circumstances to SB 740 funding determinations. Mr. Premack also recommended that language be added to the ACCS policy to offer increased flexibility for schools at lower funding levels as well.

Carrie Mizzoni of Opportunities for Youth/Opportunities for Learning (OFY/OFL) thanked Dr. Barber for her work and support on this issue. She looks forward to applying OFY/OFL's funding rates with the new guidelines. Ms. Mizzoni also requested that the ACCS consider allowing schools to average spending rates over a two-year period.

Jeff Rice of A+PLUS Learning thanked the ACCS for their support on this issue and for addressing the need for flexibility for schools. He also thanked Mr. Miller and Mr. Premack for their help in drafting the policy, and supported Mr. Premack's request for the consideration of schools with lower funding levels.

Hearing no additional public comment, Chair Hunkapiller noted that a draft emergency regulations package has been prepared. She questioned whether CDE staff should now move forward with the draft regulations, with the addition of

Dr. Barber's suggestion regarding proration, and forward it to the SBE. ACCS members generally agreed that CDE staff should work with the draft regulations and determine a timeline for bringing them to the SBE.

#### **ITEM 5: Proposed Regulations for Charter School Revocations**

Ms. Barkley reported that CDE is working on a proposed regulations package to be presented to the SBE in November that encompasses the following: the process for revocation and revocation appeals pursuant to California *Education Code (EC)* sections 47607(c) through (j); revocations of SBE-authorized schools; and revocations by the SBE upon recommendation of the State Superintendent of Public Instruction pursuant to *EC* Section 47604.5.

ACCS members discussed the conditions and potential unintended consequences of the SBE's action to revoke a charter under *EC* Section 47604.5. Dr. Barber questioned what notice would be required to a charter school, and whether the same due process considerations would be invoked under this section as for revocations under *EC* Section 47607. Mr. Bauer noted that *EC* Section 47604.5 impacts the charter school at issue as much as the school's authorizer that allegedly has not taken appropriate action against the school, whose non-action has implicitly forced the SBE to act. Mr. Bauer suggested that the revocation process under *EC* Section 47604.5 should not be identical to the revocation process under *EC* Section 47607. Chair Hunkapiller agreed, and stated her support for an immediate revocation action if appropriate evidence is present and revocation is warranted. Dr. Barber cautioned that *EC* Section 47604.5 might have an unintended consequence of allowing charter authorizers to defer justified revocation actions to the SBE when the authorizer should have acted on its own.

Hearing no additional member discussion, Chair Hunkapiller called for public comment.

Colin Miller of CCSA stated that he looks forward to seeing the proposed revocation regulations at the November SBE meeting. He noted that *EC* Section 47604.5 has been part of charter law since its inception, yet it has never been invoked. Mr. Miller suggested that a separate revocation process from *EC* Section 47607 be established here. Lastly, he noted the need for the development of regulations concerning the charter renewal and non-renewal appeal process to provide clarity to districts and schools. Mr. Miller offered his assistance to CDE in drafting these regulations.

Eric Premack of CSDC concurred with Mr. Miller's remarks, and provided some legislative history on *EC* Section 47604.5. He noted that the statute was drafted to address specific examples of districts that had significant financial ties with charter schools. He also stated that the concerns that Dr. Barber raised are not new, and the SBE once threatened to use *EC* Section 47604.5 against a district during open session in order to force the district to act. Mr. Premack stated that the statute's purpose was to address egregious issues with charter authorizers.

#### **ITEM 6: Proposed Regulations Clarifying Notification Requirements for Statewide Benefit Charter Schools**

Chair Hunkapiller requested member discussion concerning the needs of the SBE and the field in this set of proposed regulations. She stated that the current notification requirements in the Title 5 regulations require additional clarification for statewide benefit schools and the districts and counties in which they propose to locate.

Dr. Barber noted that the notification requirement is important to districts in their planning for the next school year, and notification should occur prior to March 15 for districts to plan for personnel needs. Chair Hunkapiller asked who should be responsible for noticing districts and counties – the petitioner, or the CDE? Members then discussed the purpose of the community input meeting that is currently required in the regulations, and whether additional clarification of this requirement should be included in the proposed regulation package.

Chair Hunkapiller then requested public comment.

Stephanie Farland of CSBA stated that it was very important that notification to districts and counties occurs prior to March 15. She stated that the impact on districts and counties is significant, and they need time to prepare budgets and personnel projections. Ms. Farland also noted that a singular website posting on the CDE website would serve as insufficient notice for all districts and counties in the state under these circumstances.

Colin Miller of CCSA stated that notice requirements for the community input meeting and for districts and counties are good practice, and noted that both are addressed in current regulations. He cautioned against requiring too early of a notice date due to the constraints that could be placed on the schools that are still in their planning phase.

Chair Hunkapiller then concluded that the ACCS agrees on the following: that notice for districts and counties should be provided when a statewide benefit charter requests new sites, and when a statewide benefit charter school requests approval from the SBE for expansion to new sites; and that Brown Act notice is required for community input meetings.

**ITEM 7: Apportionment Deferrals**

Chair Hunkapiller stated that this item is intended for the general information of ACCS members, and requested that members review the information provided in the agenda packet for future reference.

**Adjournment**

Chair Hunkapiller adjourned the meeting at 4:45 p.m.

**Next ACCS Meeting**

The next meeting will be held on Friday, October 16, 2009, at the CDE Building, 1430 N Street, Room 1101