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Attachment 4

Documentary Record from the Los Angeles County Board of Education

Documentary Record Provided by the County Board

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LOS ANGELES COUNTY OFFICE OF EDUCATION

March 14, 2023

APPROVED: DD:br

Board Meeting - March 14, 2023

Item VII. Recommendation/Public Hearing

- A. Adopt the Superintendent's Recommendation to Deny the Charter for *Vista Legacy Global Academy*, *Grades 9-12*: Appeal of a Petition to Establish a Charter Previously Denied by Los Angeles Unified School District Board of Education with Attached Staff Report (Enclosure)
 - a. Staff Findings on the Vista Legacy Global Academy, Grades 9-12: Appeal of a Petition to Establish a Charter Previously Denied by Los Angeles Unified School District Board of Education The petition for the Vista Legacy Global Academy is presented to the Los Angeles County Board of Education (County Board) pursuant to Education Code (EC) section 47605. Upon denial by the Los Angeles Unified School District Board of Education, the petitioners exercised the statutory right of appeal to the County Board.

EC section 47605(c) limits the reasons for denying a charter petition to the following:

- 1) The charter school presents an unsound educational program.
- 2) The petitioners are demonstrably unlikely to successfully implement the program.
- 3) The petition does not contain the required number of signatures.
- 4) The petition does not contain an affirmation of each of the required conditions.
- 5) The petition does not contain reasonably comprehensive descriptions of the 15 required elements of a charter.
- 6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.
- 7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.
- 8) The school district is not positioned to absorb the fiscal impact of the proposed charter school.

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Recommendation/Public Hearing: Adopt the Superintendent's Recommendation to Deny the Charter for *Vista Legacy Global Academy*, *Grades 9-12*: Appeal of a Petition to Establish a Charter Previously Denied by Los Angeles Unified School District Board of Education with Attached Report - 2 -

The County Board shall evaluate the petition according to the criteria and procedures established in law and may only deny the petition if it provides written findings addressing the reasons for the denial.

Summary of Key Findings:

A summary of the key findings is presented through the table on the following page.

The complete Report on the written Findings of Fact is attached. LACOE staff will present the report to the County Board.

Board Meeting - March 14, 2023

Recommendation/Public Hearing: Adopt the Superintendent's Recommendation to Deny the Charter for *Vista Legacy Global Academy*, *Grades 9-12*: Appeal of a Petition to Establish a Charter Previously Denied by Los Angeles Unified School District Board of Education with Attached Report - 3 -

Vista Legacy Global Academy Petition Received on Appeal

		Petition Received on Appeal	
Summa	ary of R	equired Charter Elements Pursuant to Education Code Section	n 47605(c)
Finding	gs 1-5 a	are Grounds for Denial Pursuant to EC 47605(b)	Meets Requirements*
Finding 1		Sound Educational Practice	Yes
Finding 2		Ability to Successfully Implement Intended Program	No
Finding 3		Required Number of Signatures	Yes*
Finding 4		Affirmation of Specified Conditions	Yes
	1	Description of Educational Program	No
	2	Measureable Pupil Outcomes	No
	3	Method for Measuring Pupil Progress	No
	4	Governance Structure	Yes*
	5	Employee Qualifications	Yes
Finding 5:	6	Health and Safety Procedures	Yes
The charter petition contains a	7	Racial and Ethnic Balance	Yes*
reasonably	8	Admission Requirements	Yes
comprehensive description of all	9	Annual Independent Financial Audits	Yes
required elements.	10	Suspension and Expulsion Procedures	Yes
	11	Retirement Coverage	Yes
	12	Public School Attendance Alternatives	Yes
	13	Post-employment Rights of Employees	Yes
	14	Dispute Resolution Procedures	Yes
	15	Closure Procedures	Yes
Finding 6:	Dec	aration of whether or not it will be the exclusive employer for the employees of the charter school	Yes
Finding 7: The charter school is demonstrably	(A)	Extent to which the proposed charter substantially undermine existing services, academic offerings, or programmatic offerings	No
unlikely to serve the interests of the entire community	(B)	Propose charter would duplicate a program currently offered within the school district	No
Finding 8:	The	school district is not positioned to absorb the fiscal impact of the proposed charter	Yes
Finding 9:	(d)	Standards, Assessments and Parent Consultation	Yes
The charter petition (f)		Employment is Voluntary	Not applicable
meets the additional statutory	(g)	Pupil Attendance is Voluntary	Not applicable
requirements EC 47605 (d),	(h)	Effect on Authorizer and Financial Projections Facilities, Administrative Services, Civil Liability and Financial Statements	No
(f) – (i), (l), (m) and (n)	(i)	Targets Academically Low Achieving Pupils**	Yes
V-7	(I)	Teacher Credentialing	Yes

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Board Meeting - March 14, 2023

Recommendation/Public Hearing: Adopt the Superintendent's Recommendation to Deny the Charter for *Vista Legacy Global Academy, Grades 9-12*: Appeal of a Petition to Establish a Charter Previously Denied by Los Angeles Unified School District Board of Education with Attached Report

Vista Legacy Global Academy Petition Received on Appeal

Summary of Required Charter Elements Pursuant to Education Code Section 47605(c)						
Findings 1-5 are Grounds for Denial Pursuant to EC 47605(b) Meets Requirement						
	(m)	Transmission of Audit Report	Yes			
	(n)	Parent Involvement is Voluntary	Yes			

^{*}Elements marked as meeting requirements may need further explanation, adjustment, or technical changes; however, they are reasonably comprehensive and/or substantively comply with regulatory guidance and the LACOE standard of review described in Board Policy and the Superintendent's Administrative Regulations.

b. Adopt the Superintendent's Recommendation to Deny the Charter for Vista Legacy Global Academy, Grades 9-12: Appeal of a Petition to Establish a Charter Previously Denied by Los Angeles Unified School District Board of Education

The Superintendent recommends that the Los Angeles County Board of Education (County Board) adopt the written findings of fact stated below and take action to deny the charter petition to establish the Vista Legacy Global Academy.

Education Code (EC) 47605(c) limits the reasons for denial to the following:

- (1) The charter school presents an unsound educational program.
- (2) The petitioners are demonstrably unlikely to successfully implement the program.
- (3) The petition does not contain the required number of signatures.
- (4) The petition does not contain an affirmation of each of the required conditions.
- (5) The petition does not contain reasonably comprehensive descriptions of the 15 required elements of a charter.
- (6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.
- (7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.
- (8) The school district is not positioned to absorb the fiscal impact of the proposed charter school.

The County Board evaluated the petition according to the criteria and procedures established in law and may deny the petition if it provides written findings addressing the reasons for denial.

^{**}Charters created to target academically low achieving pupils are given a priority for authorization

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Board Meeting - March 14, 2023

Recommendation/Public Hearing: Adopt the Superintendent's Recommendation to Deny the Charter for *Vista Legacy Global Academy*, *Grades 9-12*: Appeal of a Petition to Establish a Charter Previously Denied by Los Angeles Unified School District Board of Education with Attached Report

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The recommendation to deny the Vista Legacy Global Academy charter petition is in accordance with EC section 47605(c)(2), (5) and (7) above:

- (2) The petitioners are demonstrably unlikely to successfully implement the program.
- (5) The petition does not contain reasonably comprehensive descriptions of the 15 required elements of a charter.
- (7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.

The recommendation for denial is based on the written Findings of Fact contained in the complete Report on the Vista Legacy Global Academy charter petition, which is attached to the Report Item dated March 14, 2023.

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Los Angeles County Office of Education Charter School Office Date: March 14, 2023

Staff Findings on the *Vista Legacy Global Academy*, *Grades 9-12*Appeal of a Petition to Establish a Charter Previously Denied by Los Angeles Unified School District Board of Education

Background Information

The petition for the *Vista Legacy Global Academy* (VLGA) proposes the establishment of a ninth through 12th grade charter school to be located within the boundaries of the Los Angeles Unified School District (LAUSD). First year enrollment is projected at 125 students in grade 9, with expansion to grade 12 with 500 students by the fifth year of operation in the 2027-2028 school year.

Vision and Mission

The petition proposes that: Vista Legacy Global Academy (VLGA)... intends to transform the school experience, meet the evolving needs of students in Los Angeles, and ensure that every student in attendance receives a rich, individualized, rigorous and joyous education that prepares him or her to be college and career-ready as a productive and successful global citizen rich in humanity.

The school's mission statement declares that VLGA will create a college and career preparatory learning environment that allows students to have power in developing their identity within personal, interpersonal, and educational realms as they pursue a pathway of study in Health Science, Business, or Climate Change. We will provide a quality education for all students by creating a learning community that involves students in their development of the knowledge, skills, attitude, behaviors, aspirations, and beliefs needed to be successful in college and careers as well as the development of life-long learning skills. The non-profit public benefit corporation that will hold the charter is Vista Charter Public Schools (VCPS).

The Los Angeles County Office of Education (LACOE) Review Team compiled the tables below, providing 2021-22 enrollment, demographic and academic data for LAUSD, high schools in LAUSD, and charter schools all within a three-mile radius of the proposed location of VLGA.

Enrollment, Demographic, and Academic Data for LAUSD High Schools*

Lillollille	Enrollment, Demographic, and Academic Data for LAOSD High Schools									
		School Demographics 2021-22					2022 CAASPP Meeting & Exceeding Standards			
Traditional Schools	Enrollment	Hispanic	African American	Foster	SED	EL	SWD	ELA	Math	Grad Rate
Belmont High School (9-12)	567	90.3%	4.1%	0.2%	96.8%	42.2%	12.3%	31.5%	9.3%	60.4%
Cortines School of VAPA (9-12)	1,145	68.6%	6%	0.1%	65.7%	4.9%	14.1%	45%	13.8%	94.9%
Downtown Business HS (9-12)	903	58.9%	4%	0%	84.8%	3.2%	4.2%	88.7%	58.1%	97.6%
Roybal Learning Center (9-12)	976	90.5%	2.5%	0.8%	97.1%	21.9%	18.3%	43.2%	16%	89.5%
CLC School of Social Justice (9-12)	428	96.3%	1.2%	0.7%	99.3%	35%	7.9%	27.2%	6.5%	74.8%
School of Business & Tourism @ CLC (9-12)	424	96.3%	1.2%	0.2%	99.1%	34%	7.9%	44.1%	8.6%	69.7%
CLC-Acad Leadership Community HS (9-12)	495	94.7%	1.2%	1%	99.2%	29.3%	11.1%	43.7%	10.6%	74.1%
CLC-LA School of Global Studies (9-12)	330	96.7%	1.5%	0.3%	98.5%	33.9%	8.8%	12.5%	3.8%	71.3%

Staff Findings on the Vista Legacy Global Academy Charter Petition

		School Demographics 2021-22					2022 CAASPP Veeting & Exceeding Standards			
Traditional Schools	Enrollment	Hispanic	African American	Foster	SED	EL	SWD	ELA	Math	Grad Rate
Charter Schools										
Alliance Ted K. Tajima (9-12)	471	96.6%	0.4%	0.2%	93.2%	14.6%	10%	75.5%	27.4%	99.1%
Camino Nuevo Charter (9-12)	508	87.2%	0%	0.2%	95.1%	21.3%	18.1%	59.6%	20.2%	84.1%
Central City Value (9-12)	452	94.7%	0.2%	0.4%	88.9%	22.3%	13.5%	46.2%	17.1%	86.7%
LA Academy of Arts & Enterprise (9-12)	296	69.6%	0.7%	0%	91.2%	39.5%	10.8%	48.4%	9.1%	65.5%
Larchmont Charter (9-12)	1,609	26%	3.7%	0.2%	37.2%	8.4%	12.3%	69.2%	55.0%	93.7%
Rise Kohyang (9-12)	454	66.5%	3.1%	0.2%	90.1%	14.3%	11.7%	72.3%	24.1%	93.9%
Los Angeles Unified School District		74.5%	7.3%	1.3%	85.4%	22.7%	14%	38%	31%	86%

EL = English Learners, SED=Socioeconomically Disadvantaged, SWD = Students with Disabilities, ELA = English Language Arts

Source: CDE DataQuest Enrollment Report, http://www.cde.ca.gov/ds/sd/sd/filesenr.asp; 2022 CAASPP Research Files https://caaspp-elpac.ets.org/caaspp/
*Within 3 mile distance of VLGA

Reason for Denial by Los Angeles Unified School District Board of Education

The LAUSD Board of Education denied the petition based on written findings of fact adopted at a public meeting on November 15, 2022. The findings complied with requirements for denial under the *Charter Schools Act*. A complete set of findings and the District's report was provided as part of the board packet for the Public Hearing on February 7, 2023.

The following is a summary of the LAUSD Board's written factual findings relative to *Education Code* (*EC*):

- 1. <u>EC 47605(c)(2)</u>: The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- 2. <u>EC 47605(c)(5)</u>: The petition does not contain reasonably comprehensive descriptions of the 15 required charter elements.
- 3. <u>EC 47605(c)(7)</u>: The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.
 - A. The proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings; and
 - B. The proposed charter school would duplicate a program/programs currently offered within the school district and the existing programs have sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

Any of the above findings may be cause for denial of a charter under EC section 47605(b).

Response from the Petitioner

The petitioner provided a written response to the findings of the local board and submitted it as part of the petition package. The response was considered by LACOE staff during the review process.

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Staff Findings on the Vista Legacy Global Academy Charter Petition

Appeal to the Los Angeles County Board of Education

The Los Angeles County Board of Education (County Board) received an appeal from Vista Charter Public Schools on December 14, 2022. A Public Hearing to determine support for the petition was held on February 7, 2023. The lead petitioner for Vista Legacy Global Academy, Dr. Don Wilson, gave an overview of the proposed school. A representative from LAUSD spoke in opposition to the school.

The petition included signatures from six teachers (five were acceptable, one person was duplicated) who indicated they were meaningfully interested in teaching at the charter school representing more than one-half of the number of teachers the charter school estimates will be employed during the first year of operation. According to the budget provided, five full-time classroom teachers, plus one physical education teacher, and .25 special education teacher are expected to be employed in the first year.

The LACOE Charter School Office (CSO) sent letters to the five teachers who signed the "Charter School Teacher Approval Signature Page." The purpose of the letter is to verify their claimed interest in teaching at the school. Only one of the five teachers resubmitted the interest signature back to the LACOE CSO by the deadline. In addition, the LACOE CSO sent letters to 18 eligible parents, whose names and signatures appeared on the petition as being "meaningfully interested" for their child to attend Vista Legacy Global Academy in the fall of 2023. The CSO only received three returned letters indicating the interest to enroll.

LACOE Review Process

The Standard of Review is provided in Appendix 1 and is incorporated by reference.

FINDINGS OF FACT

Staff findings of fact adhere to guidance established in the *Education Code*, *California Code of Regulations*, Title 5, County Board Policy (BP), Superintendent's Administrative Regulations (AR) and other requirements of law. *The italicized text indicates a direct reference to the language in these guiding sources*.

<u>Finding 1</u>: The petition provides a sound educational program for students to be enrolled in the school. $[EC\ 47605(c)(1)]$

The program was not found to specifically *involve activities that would present the likelihood of physical, educational, or psychological harm to the affected pupils*. However, as an additional consideration for the County Board, VCPS continues to employ within a classified position, a staff member whose credential has been suspended twice. This individual appears to work directly with students.

<u>Finding 2</u>: The petitioners are demonstrably unlikely to successfully implement the proposed educational program. $[EC\ 47605(c)(2)]$

- 5 *CCR* 11967.5.1(c) provides four indicators for the Board to consider *in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program."* Three of the four indicators (2), (3) and (4) were found to have specific deficiencies for the Board's consideration:
 - (2). The petitioners are unfamiliar with the content of the petition or the requirements of law that would apply to the proposed charter school. None of the current charters operated by Vista met any of the local indicators in the 2021-22 dashboard. During the capacity interview, the Assistant Superintendent indicated that while the qualifying data was approved by the Vista board in June 2022, this data was not submitted to the state before the appropriate deadline, and therefore appears on the dashboard as unmet.

Staff Findings on the Vista Legacy Global Academy Charter Petition

- (3). The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. An unrealistic financial and operational plan is one in which there is evidence that any or all of (A) (D) applies. [5 CCR 11967.5.1 (c)(3)]
 - (B). In the area of financial administration, the charter or supporting documents do not adequately: present a budget that in its totality appears viable and over a period of no less than two years of operations provides for the amassing of a reserve equivalent to that required by law for a school district of similar size to the proposed charter school. [5 CCR 11967.5.1 (c)(3)(B)]

Table 1: Illustrates a financial overview of VLGA, the charter school's Net Income Projections, and Ending Cash Balance for the five fiscal years of the petition. The positive Ending Cash Balance each year is contingent upon achieving the annual targeted enrollment.

Budget Plan	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
Projected Enrollment	125	250	375	500	500
Projected ADA	118.75	237.50	356.25	475	475
Net Income Projections	73,648	633,896	796,831	1,069,950	956,154
Projected Ending Cash Balance	463,913	607,882	715,895	1,568,597	2,653,965

An analysis of the deficiencies of the Budget Plan is presented below:

Table 2: The budget plan does not allocate personnel in Y1 and Y2 to efficiently operate a new high school.

Position	Allocation per Petition Personnel Y1	Allocation per Petition Personnel Y2	% per LACOE Expertise Y1
SPED Coordinator	8%	13%	100%
College & Career Counselor	26%	100%	100%
Psychologist	26%	41%	50%
Principal	26%	100%	100%
Assistant Principal	26%	41%	0%
Office Manager	26%	41%	100%

- Certificated and Classified salaries and benefits are understated in Fiscal Year 1 by approximately \$407,000.
- If Vista selects not to co-locate with the middle school and accepts the LAUSD Prop. 39 agreement of 90 students, the following revenues are overstated:
 - o Local Control Funding Formula, EPA Entitlement, and In-Lieu of Property Tax
 - o The charter is not eligible for Title 1 or 2 funding in its first year of operation

If revenues decrease and expenditures increase, the budget will reflect a negative Net Income of approximately (\$764,000).

• The budget plan will fail to meet the reserves as required by State Regulations and County Board Policy.

Staff Findings on the Vista Legacy Global Academy Charter Petition

The Fiscal Policies and Procedures Handbook contains the following deficiencies:

- The policy lacks Intra/Inter-Company borrowing procedures.
- The credit/debit card transaction policy has no purchase limit on staff with the authority to make purchases on the school credit card.
- The policy does not incorporate the allocated shared cost process between the campuses and the central office for personnel and services.
- The investment section has a limited explanation of the types of allowable investments.

To be fiscally solvent, the Budget Plan requires that the school:

- (1) secure a facility that does not exceed the budget's projected cost;
- (2) meet its average daily attendance (ADA) projections; and
- (3) meet its enrollment projections.

At the time of the capacity interview, it was revealed that VCPS had no formalized CMO agreement with its schools. Vista Public Charter Schools identifies an allocation for each charter and the allocation is based on the ADA of each charter school.

Table 3: The projected Central Office allocation between VCPS charter schools in the petition:

VCPS' Sites	Projected ADA	% of Total Vista	Adjusted Enrollment 90/ADA	% of Total Vista
Vista Legacy	118.75	6.5%	85.50	4.7%
Vista Charter MS	344.85	18.8%	344.85	19.1%
Vista Horizon	142.50	7.8%	142.50	7.9%
Vista Heritage	308.75	16.8%	308.75	17.1%
Vista Condor	364.80	19.9%	364.80	20.2%
Vista Meridian	247.00	13.5%	247.00	13.7%
Palm Lane	308.75	16.8%	308.75	17.1%
Total	1,835.40	100.00%	1,802.15	100%

If the projected enrollment and ADA are not achieved at the proposed new charter; VLGA, this structure will result in ongoing financial stress on the other schools' operations.

Table 4: Illustrates the last five years of VCPS' financial performance (FY 2018 through FY 2022) through its Cash, Net Assets, Liabilities, Operating Results, Net Cash flow, and P2 ADA.

Year of Operation (2021-20)	Cash	Net Cash Flow	Net Assets	Operating Results	Liabilities	P-2 ADA		
2017-18 (Year 1)	2,055,730	562,820	2,886,314	441,115	7,466,720	658.08		
2018-19 Year (2)	2,306,459	250.729	3,796,159	1,074,617	7,749,316	771.39		
2019- 20 Year (3)	3,027,710	2,276,024	4,872,809	1,076,650	7,459,250	848.61		
2020- 21 Year (4)	4,663,775	1,611,564	7,445,518	2,572,709	9,033,101	Not required due to COVID 19		
2021- 22 Year (5)	19,820,012	86,532,481	9,492,471	2,046,953	103,653,875	1,021.64		
Source: Annual indepen	Source: Annual independent consolidated audit report (FY 2017-18 thru FY 2021-22)							

Staff Findings on the Vista Legacy Global Academy Charter Petition

Table 5: Illustrates the last five years of financial performance (FY 2018 through FY 2022) for VCPS, Inc. and affiliated organizations.

Year of Operation	Cash	Net Assets	Operating Results	Liabilities		
		pened 9/1/2010) auth		Lidomilos		
2017-18	1,769,137	2,768,310	482,705	90,583		
2018-19	1,316,067	3,341,559	568,534	2,061,330		
2019-20	1,746,953	4,308,562	967,003	230,948		
2020-21	2,942,152	4,912,014	603,452	7,591,905		
2021-22	5,049,533	5,979,348	1,067,334	7,975,194		
VCPS - V	ista Heritage Global	Academy (opened 8	/24/2015) authorized	by OCDE		
2017-18	258,757	(73,806)	(56,680)	952,567		
2018-19	363,546	234,589	241,961	1,012,119		
2019-20	171,414	240,215	5,626	857,911		
2020-21	259,901	375,143	134,928	1,161,654		
2021-22	1,042,321	807,337	432,194	25,231,233		
VCPS -	Vista Condor Globa	l Academy (opened 8	8/13/18) authorized b	y OCDE		
2017-18	23,412	23,412	23,412	-0-		
2018-19	313,821	216,394	190,276	713,956		
2019-20	362,625	323,340	106,946	610,130		
2020-21	820,195	1,081,697	758,357	786,400		
2021-22	1,592,293	1,671,648	589,951	20,666,011		
VCPS – l	/ista Horizon Global	Academy (opened 7/	/1/2019) authorized b	ny LAUSD		
2018-19	-0-	(60,770)	(60,770)	130,089		
2019-20	432,138	139,511	200,281	464,313		
2020-21	320,150	261,532	122,021	625,821		
2021-22	350,159	308,451	46,919	356,753		
VCPS - 2900 W. Te	emple, LLC (the 2900	LLC) formed in 2014	1			
2017-18	962,998	157,576	(9,144)	6,722,768		
2018-19	313,025	64,387	134,616	6,847,747		
2019-20	314,580	(138,819)	(203,206)	6,719,622		
2020-21	321,377	815,132	953,951	6,586,372		
2021-22	322,878	1,423,820	608,688	6,120,000		
	-	-				
VCPS - 2609 W. 5 th	Street, LLC (the 260	99 LLC) formed in 20.	21			
2021-22	11,462,828	(698,133)	(698,133)	45,268,036		
Source: Annual independent audit reports (FY 2017-18 thru FY 2021-22)						

<u>Prior Year Audit Reports</u>: The petition included audit reports for fiscal years 2017-18 through 2021-22. The audit indicates that Vista Charter Public Schools, Inc. ended 2021-22 with a positive fund balance of \$9,492,471. The Auditor's opinion expressed in the Independent Auditors' Reports for this period for Vista Charter Public Schools, Inc. financial statements results in an unmodified opinion with no findings.

Staff Findings on the Vista Legacy Global Academy Charter Petition

Table 6: VCPS Annual Audit Reports

Entity	Fiscal Year	Auditing Firm	Opinion	Findings	Ending Fund Balance per Audit – June 30
		Wilkinson Hadley King &			
Vista Charter Public Schools, Inc.	2017-18	Co. LLP	Unmodified	None	2,886,314
		Wilkinson Hadley King &		State	
Vista Charter Public Schools, Inc.	2018-19	Co. LLP	Unmodified	Awards	3,796,159
Vista Charter Public Schools, Inc.	2019-20	Silva & Silva CPA	Unmodified	None	4,872,809
Vista Charter Public Schools, Inc.	2020-21	Silva & Silva CPA	Unmodified	None	7,445,518
Vista Charter Public Schools, Inc.	2021-22	Silva & Silva CPA	Unmodified	None	9,492,471
Source: Annual independent audit repor	ts (FY 2017-201	18 thru FY 2021-2022)			

Based on financial documents submitted with the petition, supplemental and concentration grants were over-funded based on the additional students included in the unduplicated pupil counts for VLGA. Our review of the Free or Reduced Price Meal report, identified 5 out of 18 students, incorrectly designated as being eligible under the FRPM program, resulting in an error rate (rounded) of 19. Additionally, 2 out of 7 students reported as both FRPM and EL (English learner) on the form (1.18 - FRPM/English Learner/Foster Youth – Student List) for Vista Heritage Charter School, were incorrectly designated on the report as either eligible under the Free or Reduced Price Meal Program or as EL students. Correcting the error rate (rounded) for the populations to 8. See table 7 below.

Table 7: Audit adjustments for FRPM program

	Certified CalPads 1.18	Audit Adjustments	Adjusted Count
Unduplicated Count of Pupils:	275		
Free & Reduced Meal Program (FRPM)	67	(19)	48
English Leaners (EL)	1	-0-	1
Both FRPM & EL	25	(8)	17
Directly Certified	182	-0-	182
Total Unduplicated Count of Pupils	275	(27)	248

The School's process to review documentation for students eligible under the different CALPADS designations was not consistently followed by the staff in charge of the program. VCPS must include in their process, methods to ensure proper documentation exists for all students claimed as unduplicated eligible on the Form 1.18 and ensure proper re-designation of any student without proper documentation.

FY 2021-22 VCPS Audit Report: In May 2022, the VCPS Board approved a merger to bring Palm Lane Elementary School (Charter No. 1932) into the Vista Charter Public Schools organization. As of July 1, 2022, the Board of Directors of New Century Charter Public Schools (the Corporation) has transferred management responsibilities to Vista Charter Public Schools, Inc. The Corporation is in the process of dissolving and transferring all related assets and liabilities to Vista Charter Public Schools for the 2022-23 and future school years. The Organization petitioned Anaheim Elementary School District and was approved for a charter for the term July 1, 2018 - June 30, 2025. Palm Lane Elementary School has been renamed and is now Palm Lane Global Academy.

RELATED PARTY TRANSACTIONS

Related parties as defined by generally accepted accounting standards include: (1) Affiliates of the entity; (2) Management and members of their immediate families; or (3) Other parties that can significantly influence management or operating policies. **The Charter Schools share the same Board of Directors.** During the year, the Charter Schools have related transactions that are recorded in their respective related

Staff Findings on the Vista Legacy Global Academy Charter Petition

party accounts. At year end, the related accounts are reconciled to ensure all transactions between the Charter Schools are properly recorded, and all intercompany related accounts have been eliminated.

Due To/From Related Entities

Table 8: Amount due to/from related entities at June 30, 2022

Due From	Due to
Vista CMS	Horizon \$50,000
	Due to Vista CMS
Condor	\$ 610,067
Total due from/to related entities	\$ 660,067

(D)(2). In the area of facilities, the charter and supporting documents do not adequately... describe the types and potential location of facilities.

The petition submitted to both LAUSD and LACOE, indicated VLGA would be located on the same campus as Vista Charter Middle School (VCMS) which is located at:

• 2900 W. Temple Street, Los Angeles, California 90026

The budget estimates and financial status of the petition are based on sharing a facility with VCMS. During the public hearing on February 7, 2023, and confirmed at the capacity interview on February 13, 2023, the petitioner made a statement that they were instead planning on locating at a Prop 39 site within the LAUSD. This change was not indicated in any documents received by the LACOE staff. Correspondence between the petitioner and LAUSD for a Prop 39 application occurred in October of 2022. In December of 2022, LAUSD responded with a letter to Vista Public Charter Schools confirming receipt of the application and replied with a modified enrollment of 89.3 students. This is substantially different from the projected enrollment of 125 as stated in the petition. LACOE did not receive any documents submitted to the 'Description of Changes' section of the petition, reflecting this decrease in initial enrollment, changes to staffing, or changes to the budget to account for this new location.

The only current high school grades operated by VCPS are located in Orange County. Enrollment data for that school showed over a 30% drop in enrollment from the 8th grade to the 9th grade despite both being located on the same campus. Using historical attrition rates at the VCMS feeder school to VLGA, and the attrition rate experienced at their other high school, the projected enrollment at VLGA for the first year would be 86. This is similar to the Prop 39 calculation and much lower than the petition's projected first year enrollment number of 125.

- (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 a plan to secure the services of individuals who have the necessary background in these areas: [5 CCR 11967.5.1(c)(4)]
 - (A). Curriculum, instruction, assessment

There are many concerns with the planned curriculum. The Vista Legacy Global Academy petition curriculum is nearly identical to the Vista Meridian petition (which is a shared school and site with Vista Heritage Middle School). The VLGA petition promotes CTE pathways in Health, Business, and Climate Change. During the capacity interview it was confirmed that these courses are in the very preliminary stages of development and are not set up as a dual enrollment programs with any university or community college. There is no Climate Change curriculum or pathway currently developed to offer students at VLGA. The CSO

Staff Findings on the Vista Legacy Global Academy Charter Petition

communicated directly to UCI regarding the development of this program, and they indicated; "the UCI Science Project effort does not involve the development of day-to-day lesson plans, assessments, or dual enrollment." This questions the capacity of the petitioners to be able to create a viable curriculum in this field of climate change or commit to their original statement of having this available to VLGA students.

Similar to the Meridian charter petition, the VLGA petition contains the implementation of a Mandarin 1 & 2 language sequence, culminating with AP Chinese studies. No credentialed teacher has been hired for the Meridian charter school, so these courses have not been offered, despite being part of the approved Vista Heritage/Meridian charter. Furthermore, there is no evidence of the petitioner's ability to establish these classes by the time VLGA would open as a LACOE charter in August of 2023.

The educational program at VLGA will likely fail to offer these signature programs to students within the community, for several years, if at all. Neither the petition nor the school leadership at the corresponding capacity interview, could confirm the existence of a dual enrollment Climate Change program (with LATC) and only indicated, "it would be a number of years," before a program would be implemented.

There are other concerns regarding their ability to implement and process Advance Placement and Seal of Bi-literacy offerings to their high school students, considering the fact that they have not done so at their current high school. This would be particularly detrimental to their community considering the demographics of the proposed location of VLGA.

VLGA's Charter fails to provide a reasonably descriptive plan to serve students with disabilities in accordance with IDEIA, Section 504 and/or the ADA. The VLGA plan for serving students with disabilities is vague and inconsistent, and has no clear plan for how to address the needs of students with moderate to severe disabilities within the classroom. The petition fails to mention how they will support students with more intensive support needs.

VLGA has submitted and identified itself as "an independent LEA member of the El Dorado Charter SELPA." Compliance and the process of identifying students for an IEP are in line as required by law but the inclusion plan (preceded by a MTSS process) is the only mention of any plan for classroom instruction. Interventions are not specific enough to understand how the charter will address the needs of students with disabilities. There is no mention of explicit, systematic, direct, and unambiguous instruction. Rather, the petition mentions using multiple routes for students to demonstrate their understanding but nothing is mentioned about the teaching role and effective methodology for how teaching will be differentiated.

In addition, the LACOE review team compiled academic data of existing schools managed by the VCPS with comparable demographics and comparable schools within the vicinity of LAUSD and Santa Ana Unified school district (tables below). Data shows, that for most key metrics there is a nearby school outperforming those operated by VCPS.

		ELA	Math	EL	
Schools (Grade Level)	Auth./dist.	Met/exceed	Met/exceed	reclassification	Chronic Ab
Vista Charter MS (6-8)	LAUSD	25.14%	10.92%	47.5%	30.1%
Vista Horizon (TK-5)	LAUSD	35.14%	32.42%	7.4%	7.4%
LA Elementary (TK-5)	LAUSD	32.68%	22.69%	19%	50.9%
Wilshire Park Elementary (TK-5)	LAUSD	43.19%	36.62%	14.8%	41%
Virgil Middle School (6-8)	LAUSD	38.19%	22.13%	45.8%	34.5%
Source: https://caaspp-elpac.ets.org					

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Schools (Grade Level)	Auth/dist.	ELA Met/exceed	Math Met/exceed	EL reclassification	Chronic Ab
Vista Heritage/Meridian Global (6-10)	OCDE	29.89%	15.65%	36.7%	16.1%
Vista Condor (TK-5)	OCDE	22.80%	13.53%	10.8%	17.9%
Fremont Elementary (TK-5)	SAUSD	31.17%	20.00%	10.4%	30.9%
MSA Santa Ana (K-12)	SAUSD	36.66%	28.67%	32.6%	11.6%
Mendez Intermediate (6-8)	SAUSD	37.73%	28.49%	58.5%	20.8%
Source: https://caaspp-elpac.ets.org/					

Finding 3: The petition does contain the required number of signatures. $[EC\ 47605(c)(3)]$

A. Although the LACOE staff did receive a signature page of five teachers (more than the three required to open the school) only one of those teachers responded to the 'Verification of teacher interest' form sent from the LACOE staff to confirm this interest. LACOE is also aware that three of these same teachers also signed a 'meaningful interest' form for another Vista charter petition currently submitted to the Lake Elsinore Unified School District (Vista Lago). This causes some concern and questions the credibility of how these teachers, currently working at Vista Heritage/Vista Meridian would sign an interest to work form for two separate charters approximately 85 miles apart, while still employed at current Vista schools in LAUSD and Orange County.

<u>Finding 4</u>: The petition contains an affirmation of all specified assurances. [EC 47605(c)(4); EC 47605(d)]

<u>Finding 5</u>: The petition does not contain a reasonably comprehensive description of all required elements. [EC 47605(c)(5)(A)-(O)]

Based on the guidance established in EC, 5 CCR, the requirements set forth in the County Board Policy (BP), Superintendent's Administrative Regulations (AR) and other requirements of law, three of the 15 required elements were determined to be not reasonably comprehensive. Additionally, there are two elements containing specific deficiencies and/or requiring necessary technical adjustments. The findings of the Review Team are as follows:

Element 1: Description of the Educational Program. *Not reasonably comprehensive.*

- 1. The petition does not adequately describe 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.
 - A. There are no specific supports that would substantiate an ELD program plan for effective implementation, such as professional development opportunities for content area teachers or a master schedule that includes sections for leveled designated support. Additionally, the petition indicated ELD instruction only during zero period (outside of the state mandated start time). During the capacity interview, VLGA indicated ELD instruction would be included within the school day.
 - B. The petition lacks an option for students to meet the requirements for the CA State Seal of Biliteracy, despite the high number of bi-lingual students in the targeted community.
- 2. The petition does not adequately describe how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.
 - A. There are few specifics regarding students who are behind academically. This is a key element, especially given the learning loss from the pandemic, and the resulting lower reading and math

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Staff Findings on the Vista Legacy Global Academy Charter Petition

scores across the state. The program mentions "differentiation" but it is not clear how differentiation will look in the classroom or how they are going to be teaching other students while intervention occurs. The petition states teachers will meet with struggling readers for more time or in small groups or individually, and they are going to pair struggling students with stronger readers and writers during workshop to provide peer support and modeling. This method puts the responsibility for filling in the gaps on the students and will do little to provide foundational knowledge for reading and writing.

- B. The petition lacks a detailed plan to address credit deficient students. During the capacity interview, VLGA stated students would retake classes in subsequent years but could not articulate a realistic plan for scheduling a student with severe credit deficiencies.
- 3. The petition does not clearly indicate 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.
 - A. The instructional strategy of "cooperative learning," does not necessarily close learning gaps, as mentioned in the petition. Cooperative groups are an instructional approach but students who are nowhere near grade level will require explicit and systematic instruction in diagnostically identified learning gaps.
 - B. The petition outlines tier 1 supports, but does not adequately address or describe tier 2 or tier 3 supports, specific to English learners or students with disabilities.

Element 2: Measurable Pupil Outcomes. Not reasonably comprehensive

1. The petition does not adequately *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.

The petition does not cite any annual academic outcomes for 9th or 10th grade students, and fails to have outcomes for science in any grade level. The petition states, "VLGA students, including all significant subgroups, will meet or exceed state averages, or nearby similar comparison schools, along with annual targets for growth on the CAASPP (and comparable assessments for students with special needs) in the areas of ELA and Mathematics." This academic outcome cannot be measured until the 2025-26, after three years of school operation.

The outcomes proposed in the petition for measuring student achievement based on internal assessments or comparison schools cannot be used or verified by LACOE. The petition did not state a process for the acquisition of comparable data from nearby schools.

Element 3: Method for Measuring Pupil Progress. Not reasonably comprehensive

- 1. The petition relies on the comparison of "similar schools," but there is no stated method for determining these schools and no way of retrieving this internal assessment information from similar schools.
- 2. The means by which the school will measure AP success does not align with the stated goal. The stated goal is AP participation; however, the stated metric is AP pass rate.

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Staff Findings on the Vista Legacy Global Academy Charter Petition

Element 4: Governance Structure. Reasonably comprehensive with a specific deficiency

Current articles of Incorporation on file with Secretary of State specifically lists schools they operate, and this list does not include VLGA, Horizon or Palm Lane schools. Proposed changes to the articles of incorporation include the provision of educational services. However, during the capacity interview VLGA leadership was unable to describe specific services or scope of work.

- Element 5: Employee Qualifications. Reasonably comprehensive
- Element 6: Health and Safety Procedures. Reasonably comprehensive
- Element 7: Means to Achieve Racial, Ethnic, Special Education, and English Learner pupils, including redesignated fluent English proficient pupils. Reasonably comprehensive with a specific deficiency

The petition does not specify how the school will recruit the target population of the community and lacks benchmarks that measure whether the applicant pool is reflective of the district.

- **Element 8: Admission Requirements**. Reasonably comprehensive
- **Element 9: Annual Independent Financial Audits.** Reasonably comprehensive
- Element 10: Suspension and Expulsion Procedures. Reasonably comprehensive
- **Element 11: STRS, PERS, and Social Security**. Reasonably comprehensive
- Element 12: Public School Attendance Alternatives. Reasonably comprehensive
- Element 13: Post-Employment Rights of Employees. Reasonably comprehensive
- Element 14: Dispute Resolution Procedures. Reasonably comprehensive
- **Element 15: Closure Procedures.** Reasonably comprehensive
- <u>Finding 6</u>: The petition does contain a declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining. $[EC\ 47605(c)(6)]$

Finding 7: The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. $[EC\ 47605(c)(7)]$

- A. The proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.
 - 1. LAUSD may be forced to close and consolidate some of its high schools and reduce current staffing. Education Code requires the Board to look at the fiscal impact of the proposed charter school. The chart below provides the 2021-2022 enrollment for high schools within a 3 mile radius of the proposed site in LAUSD. It also includes each school's enrollment peaks and the number of available student openings. As evidenced by the chart below, both LAUSD and some charter schools are currently experiencing significant under enrollment at their high schools. Assuming that the proposed charter school meets its projected enrollment of 500, this would have a substantial impact on local schools.

Staff Findings on the Vista Legacy Global Academy Charter Petition

Enrollment and School Capacity Data for LAUSD Traditional High Schools & Charters*

	LAUSD School Enrollment and Capacity* 2021-22				
School Name (Grade Level)	Enrollment	Peak Enrollment	Difference	% Change	
Belmont High School (9-12)	567	994	-427	-43%	
Cortines School of VAPA (9-12)	1,145	1,527	-382	-25%	
Downtown Business High School (9-12)	903	1,047	-144	-14%	
Roybal Learning Center (9-12)	976	1,200	-224	-19%	
CLC School of Social Justice (9-12)	428	511	-83	-16%	
School of Business & Tourism @ CLC (9-12)	424	461	-37	-8%	
CLC-LA School of Global Studies (9-12)	330	382	-52	-14%	
Charter Schools					
Alliance Ted K. Tajima (9-12)	471	471	0	0%	
Camino Nuevo Charter High #2 (9-12)	508	508	0	0%	
Central City Value (9-12)	452	487	-35	-7%	
LA Academy of Arts & Enterprise (9-12)	296	382	-86	-23%	
Rise Kohyang (9-12)	454	454	0	0%	
Source: CDE DataQuest Enrollment Report, http://www.cde.ca.gov/ds/sd/sd/filesenr.asp; CDE DataQuest Enrollment Multi-Year Summary by Grade					

*Within 3 mile radius of proposed site of VLGA

- B. The proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.
 - 2. The VLGA petition duplicates programs, such as Health Science and Business, offered by local high schools both charter and traditional within a three mile radius, all of which have capacity for additional enrollment:
 - a. Belmont High school: Intensive curriculum pathway focused on Medical and Health services. Curriculum includes; Introduction to Medical/Physiology, Medical Terminology, and First Responder certification. Internships with CHOC of Los Angeles and USC's medical program. In addition, the school offers a SAGE (Science, Arts, Green Engineering Academy) program, founded in STEAM instructional strategies from grades 9 through 12.
 - b. LA Academy of the Arts & Enterprise: Offers a VAPA curriculum with a pathway concentration of Business and Marketing to prepare students with practical skills for college and career.
 - **Downtown Business High School:** Curriculum pathway focus on business careers which includes, Accounting A/B, Virtual Business, and Finance classes all with an international perspective. The school also offers an International Baccalaureate program.

Finding 8: The school district does not meet the rebuttable presumption of denial because it does not have a qualified interim certification and granting the charter would not result in the district having a negative certification as certified by FCMAT. [EC 47605(c)(8)]

Loss of enrollment has a fiscal impact on every District. The District provided a self-certification of positive for FY 22-23 First Interim. However, approval of the charter school will not cause the District to have a negative certification in FY 22-23 or the subsequent years through FY 2027-2028.

Staff Findings on the Vista Legacy Global Academy Charter Petition

	Meet	
District: Los Angeles Unified School District	Criterion	Does not meet Criterion
The District has a qualified interim certification, and the county superintendent of schools, in consultation with the Fiscal Crisis and Management Assistance Team (FCMAT), certifies that approving the charter school would result in a negative interim		
certification		Χ
The District has a negative interim certification		X
The District is under state receivership		Χ

<u>Finding 9</u>: The petition does not satisfy all of the Required Assurances of *Education Code* section 47605(d), (f) through (i), (l), (m) and (n) as follows:

Standards, Assessments and Parent Consultation. [EC 47605(d)] Meets the condition

Employment is Voluntary. [EC 47605(f)] Not applicable

Pupil Attendance is Voluntary. [EC 47605(g)] Not applicable

Effect on the Authorizer and Financial Projections. [EC 47605(h)] Does not provide the necessary evidence. The petition does not describe the facilities to be used by the charter school including where the school intends to locate.

The petition identified a location in the original petition but VLGA entered into a Prop 39 application (to LAUSD prior to submitting their appeal to LACOE) and stated at the public hearing and capacity interview that they intended to reside on a Prop 39 site. The Prop 39 enrollment was considerably lower (30%) than the petitioner's projection, which is not accounted for in the proposed budget.

Preference to Academically Low Performing Students. [EC 47605(i)] Qualifies

Teacher Credentialing Requirement. [EC 47605(1)] Meets the condition

Transmission of Audit Report. [EC 47605(m)] Meets the condition

Parent Involvement is Voluntary. [EC 47605(n)] Meets the condition

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Documentary Record from the Los Angeles County Board of Education

Staff Findings on the Vista Legacy Global Academy Charter Petition

Appendix 1

Los Angeles County Office of Education Standard of Review

Review Criteria: The Los Angeles County Office of Education (LACOE) Charter School Review Team (Review Team) considered the petition according to the requirements of the *EC* and other pertinent laws, guidance established in 5 *CCR*, *County Board Policy (BP)* and Superintendent's *Administrative Regulations (AR)*. ¹

LACOE has adopted the petition review criteria established in 5 CCR 11967.5.1(a-g) except where LACOE determined that the regulations provide insufficient direction or where they are not applicable because the structure or responsibility of the County Board and LACOE differ from those of the State Board of Education (SBE) and the California Department of Education (CDE). In these instances, LACOE developed its own (local) review criteria or added criteria to those developed by CDE to reflect the needs of the County Board as the authorizer and LACOE as the monitoring and oversight agency.

Reasonably Comprehensive: In addition to the regulatory guidance that specifies the components of each required element, 5 *CCR* 11967.5.1(g) states a "reasonably comprehensive" description of the required petition elements shall include, but not be limited to, information that:

- 1. Is substantive and is not, for example, a listing of topics with little elaboration.
- 2. For elements that have multiple aspects, addresses essentially all aspects of the elements, not just selected aspects.
- 3. Is specific to the charter petition being proposed, not to charter schools or charter petitions generally.
- 4. Describes, as applicable among the different elements, how the charter school will:
 - a. Improve pupil learning.
 - b. Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving.
 - c. Provide parents, guardians, and pupils with expanded educational opportunities.
 - d. Hold itself accountable for measurable, performance based pupil outcomes.
 - e. Provide vigorous competition with other public school options available to parents, guardians, and students.

Reasonably Comprehensive with Deficiencies: An element may be reasonably comprehensive but lack specific critical information or contain an error important enough to warrant correction. These elements are described as "reasonably comprehensive" with a specific "deficiency" or "deficiencies." Correcting the deficiency or deficiencies would not be a material revision (as defined in statute and County Board Policy) to the charter.

Technical Adjustments: Three circumstances may require a "technical adjustment" to the petition:

- Adjustments necessary to reflect the County Board as the authorizer. These adjustments are necessary
 because the petition was initially submitted to a local district and contains specific references to and/or
 language required by that district and/or the petition does not reflect the structure of the County Office.
- 2. Adjustments needed to bring the petition current with changes made to law since the petition was submitted. This includes adjustments necessary to comply with the *Charter School Act* effective July 1, 2013, as the result of *Assembly Bill (AB)* 97 (Local Control Funding Formula).

¹ Words in italics indicate a direct reference to the language in these documents.

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Staff Findings on the Vista Legacy Global Academy Charter Petition

3. Adjustments necessary to address clerical errors or inconsistencies where making the adjustment would not be a material revision (as defined in statute and *County BP*) to the charter.

<u>Affirmations and Assurances</u>: The petition shall contain a clear, unequivocal affirmation of each requirement, not a general statement of intention to comply. 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, f-i, l, m and n)

Reviewers: The Review Team included staff from the Controller's Office, Business Advisory Services, Facilities and Construction, Risk Management, Curriculum and Instruction, Special Education, Student Support Services, Human Resources, the Office of General Counsel, the Division of Accountability, Support and Monitoring, and the Charter School Office.

<u>Scope of Review</u>: Findings are based on a review of the submitted renewal petition and supporting documents, information obtained through the Capacity Interview and other communications with the petitioners and representatives of the school, and other publicly available information.

<u>Legislative Intent</u>: The Review Team considered whether the petition complies with *EC* 47601 of the *Charter Schools Act*, which states:

It is the intent of the Legislature, in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- (a) Improve pupil learning.
- (b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
- (c) Encourage the use of different and innovative teaching methods.
- (d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
- (e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
- (f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.
- (g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.



Vista Legacy Global Academy

Petition to establish a Charter School previously denied by the Los Angeles Unified School District

Report to the Los Angeles County Board of Education March 14, 2023



Background Information Petition Type:

 Appeal to establish a charter denied by Los Angeles Unified School District

Proposed Location:

- Prop 39 or co-location with Vista Charter Middle School
 - 2900 W. Temple Street, Los Angeles, 90026 (MacArthur Park area)

Grades and Enrollment:

- Year 1: 125 students, grade 9
- Year 5: 500 students, grades 9-12



Background Information

Mission: Vista Legacy Global Academy (VLGA) will create a college and career preparatory learning environment that allows students to have power in developing their identity within personal, interpersonal, and educational realms as they pursue a pathway of study in Health Science, Business, or Climate Change. We will provide a quality education for all students by creating a learning community that involves students in their development of the knowledge, skills, attitude, behaviors, aspirations, and beliefs needed to be successful in college and careers as well as the development of life-long learning skills.

Operating Entity: Vista Charter Public Schools Inc., 501(c)(3)



Possible Grounds for a Decision to Deny

EC 47605(c): A petition to establish a charter school *shall not* be denied unless written factual findings relating to one or more of the following are made:

- 1. Presents an unsound educational program
- 2. Petitioners unlikely to successfully implement the program
- 3. Does not contain the required signatures
- 4. Does not contain an affirmation of specified assurances
- 5. Petition does not contain reasonably comprehensive descriptions of required elements
- 6. Petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of collective bargaining pursuant to Government Code sections 3540-3549
- 7. Demonstrably unlikely to serve the interests of the entire community
- 8. The school district is not positioned to absorb the fiscal impact



Staff Findings

EC 47605(c): A petition to establish a charter school *shall not* be denied unless written factual findings relating to one or more of the following are made:

- (2) The petitioners are demonstrably unlikely to successfully implement the program
- (5) The petition does not contain reasonably comprehensive descriptions of the 15 required elements of a charter
- (7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate



Budget Plan	FY 2023-24	FY 2024-25	FY 2025- 26	FY 2026-27	FY 2027-28
Projected Enrollment	125	250	375	500	500
	0				
Projected ADA	118.75	237.50	356.25	475	475
Net Income Projections	\$73,648	\$633,896	\$796,831	\$1,069,950	\$956,154
Projected Ending Cash Balance	\$463,913	\$607,882	\$715,895	\$1,568,597	\$2,653,965



	Allocation per Petition	Allocation per Petition	% per LACOE Expertise Y1
Position	Personnel Y1	Personnel Y2	With Prop 39 Site
SPED Coordinator	8%	13%	100%
College/Career Counselor	26%	100%	100%
Psychologist	26%	41%	50%
Assistant Principal	26%	41%	0%
Principal	26%	100%	100%
Office Manager	26%	41%	100%



Based on a Prop 39 site, the budget plan contains the following deficiencies:

- If Vista selects not to co-locate with the middle school and accepts the LAUSD Prop. 39 agreement of <u>90 students</u>, the following revenues are overstated:
 - Local Control Funding Formula
 - EPA Entitlement
 - In-Lieu of Property Tax
- The charter is not eligible for Title 1 or 2 funding in its first year of operation
- If revenues decrease and expenditures increase, the budget will reflect a negative Net Income of approximately (\$764,000)



The Fiscal Policies and Procedures Handbook contains the following deficiencies:

- Lacks Intra/Inter-Company borrowing procedures
- The credit/debit card transaction policy has no purchase limit on staff
- The policy does not incorporate the allocated shared costs
- The investment section has a limited explanation of the types of allowable investments.



Curriculum, Instruction, Assessment:

- There is no evidence Climate Change courses are developed or set up as a dual enrollment programs with any university or community college
- There is no Climate Change curriculum or pathway currently developed to offer students at VLGA
- The current budget does not allow for the implementation of a Mandarin world language program for students in the 2023-24 school year.



Curriculum, Instruction, Assessment:

- Unlikely to implement AP courses as written in the petition
- Charter fails to provide a reasonably descriptive plan to serve students with disabilities in accordance with IDEIA, Section 504 and/or the ADA.



Finding 5: EC 47605(c)(2): Does not contain reasonably comprehensive descriptions of the 15 required elements of a charter.

Not Reasonably Comprehensive:

- Element 1: Description of the Educational Program
- Element 2: Measurable Pupil Outcomes
- Element 3: Method for Measuring Pupil Progress

Reasonably Comprehensive with a Specific Deficiency:

- Element 4: Governance Structure
- Element 7: Means to achieve Racial, Ethnic, Special Education, and English Learner Pupils, including re-designated Fluent English Proficient Pupils



Finding 7: EC 47605(c)(7): The charter school is demonstrably unlikely to serve the interests of the entire community in which the school proposing to locate.

The proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate:

- Health & Business courses are currently offered at nearby schools including;
 Belmont HS, LA Academy of the Arts & Enterprise, and Downtown Business
 High School
- The petition does not offer a program of study unique to any other program in surrounding schools
- Surrounding high schools offer STEAM, AP, Dual Enrollment options, IB, and World Languages, similar to the courses offered in the petition.



Finding 7: EC 47605(c)(7): The charter school is demonstrably unlikely to serve the interests of the entire community in which the school proposing to locate.

	LAUSD Scho	ool Enrollment a	and Capacity*	
School Name		2021-22		
				%
(Grade Level)	Enrollment	Peak Enrollment	Difference	Change
Belmont High School (9-12)	567	994	-427	-43%
Cortines School of VAPA (9-12)	1,145	1,527	-382	-25%
Downtown Business High School (9-12)	903	1,047	-144	-14%
Roybal Learning Center (9-12)	976	1,200	-224	-19%
CLC School of Social Justice (9-12)	428	511	-83	-16%
School of Business & Tourism @ CLC (9-12)	424	461	-37	-8%
CLC-LA School of Global Studies (9-12)	330	382	-52	-14%
Charter schools:				
Alliance Ted K. Tajima (9-12)	471	471	0	0%
Camino Nuevo Charter High #2 (9-12)	508	508	0	0%
Central City Value (9-12)	452	487	-35	-7%
LA Academy of Arts & Enterprise (9-12)	296	382	-86	-23%
Rise Kohyang (9-12)	454	454	0	0%

Source: CDE DataQuest Enrollment Report, http://www.cde.ca.gov/ds/sd/sd/filesenr.asp; CDE DataQuest Enrollment Multi-Year Summary by Grade *Within 3 mile radius of proposed site of VLGA



Summary

- 1. Unlikely to implement the petition as written as evidenced by:
 - Mandatory Zero period in violation of law
 - Educational programs unlikely to implement such as Climate Change, Mandarin, AP courses
 - A staffing plan and budget that the petitioner does not intend to implement
- 2. Lack of knowledge with HS as evidenced by:
 - A start time in violation of Education Code
 - An inadequate plan for Credit Recovery
 - Lack of academic goals for 9th and 10th grade
 - Failure to plan for the Seal of Bi-literacy
- 3. Unlikely to serve the community as evidenced by:
 - 14 other HS with capacity within a 3 mile radius
 - Lack of a unique educational program



LACOE Staff Findings

- (2) The petitioners are demonstrably unlikely to successfully implement the program.
- (5) The petition does not contain reasonably comprehensive descriptions of the 15 required elements of a charter.
- (7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.



Vista Legacy Global Academy

Petition to establish a Charter School previously denied by the Los Angeles Unified School District

Report to the Los Angeles County Board of Education March 14, 2023

accs-aug23item01 Attachment 4 Page 41 of 201 APPROVED NO.19:2022-23

MINUTES

LOS ANGELES COUNTY BOARD OF EDUCATION

9300 Imperial Highway Downey, California 90242-2890 Tuesday, March 14, 2023

A meeting of the Los Angeles County Board of Education was held on Tuesday, March 14, 2023, via Zoom conference call through LACOE.

PRESENT: Ms. Judy Abdo*, Dr. Yvonne Chan*, Mr. James Cross, Mr. R. Michael Dutton, Ms. Betty Forrester, Dr. Stanley L. Johnson, Jr., and Dr. Monte E. Perez*.

Ms. Judy Abdo, Dr. Monte E. Perez, and Dr. Yvonne Chan joined the Board meeting remotely.

OTHERS PRESENT: Dr. Debra Duardo, Superintendent; Administrative Staff: Ms. Beatrice Robles, Senior Executive Assistant, Office of the Superintendent.

PRELIMINARY ACTIVITIES

CALL TO ORDER

Mr. Cross called the meeting to order at 3:00 p.m.

Mr. Cross read the LACOE Land Acknowledgement.

PLEDGE OF ALLEGIANCE

Dr. Johnson lead the Pledge of Allegiance.

ORDERING OF THE AGENDA

Dr. Duardo indicated that Item VII-C (Approval of Second Interim Report for 2022-23) had changes on SAC pages 4 and 20. In addition, the Expulsion Case No. 2223-0008 v. Bellflower USD has been postponed.

It was **MOVED** by Mr. Dutton, **SECONDED** by Dr. Johnson, and **CARRIED** to approve the Board agenda with changes.

Yes vote: Ms. Abdo, Dr. Chan, Mr. Dutton, Ms. Forrester, Dr. Johnson, Dr. Perez, and Mr. Cross.

APPROVAL OF THE MINUTES -

• March 7, 2023 – The minutes were approved as presented.

It was **MOVED** by Dr. Chan, **SECONDED** by Mr. Dutton, and **CARRIED** to approve the March 7, 2023 minutes as presented.

Yes vote: Ms. Abdo, Dr. Chan, Mr. Dutton, Ms. Forrester, Dr. Johnson, Dr. Perez, and Mr. Cross.

COMMUNICATIONS: BOARD / SUPERINTENDENT

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Los Angeles County Board of Education Minutes of March 14, 2023

Dr. Chan mentioned that she attended the LACOE Women's Leadership and Empowerment Conference last week. She said it was a great event and thank Dr. Duardo for organizing event.

Mr. Cross provided details related to the CSBA Coast2Coast Federal Advocacy day in Washington DC in April 2023. Mr. Cross also mentioned that the Head Start Policy division will be organizing a federal advocacy day in Washington DC in September 2023 and that details will be shared with the County Board just as soon as information becomes available.

Dr. Duardo provided the following highlights to the County Board:

LACOE's Women's Leadership and Empowerment Conference

- Last week's Women's Leadership and Empowerment Conference was a great success.
- We had over 270 number of attendees 30 were mentees
- Attendees included educators, students, other professionals and community leaders.
- Our special guests included:
 - o Supervisor Holly Mitchell
 - o Dr. Yvonne Chan
 - o Patti Giggans, my mentor and Executive Director of Peace Over Violence
 - o Dr. Ann McElaney-Johnson, President of Mount St, Mary's University
 - LACHSA Student Performers Natalia Gonzalez and Margaryta Kuzina
 - Members of my Student Advisory Board Joy An, Alyssa Klein, Millie Liao and Febie Tarpley.
 - o Jimena Mendez, LACOE Student Board Member
 - o LACOE Principals and teachers
- The second half of the day included a variety of workshops within the themes of:
 - o Self-Care
 - o Art of Negotiation and Empowering Your Journey
 - Women Allyship
 - o Personal Branding and Writing Your Own Story
 - o Social Justice and leading for equity
 - o Networking and Creating Your Own Beehive
 - o Empowerment and Self-Defense

COMMUNICATIONS: HEAD START POLICY COUNCIL

Ms. Eileen Delgado, Chair for the Head Start Policy Council addressed the County Board.

COMMUNICATIONS: PUBLIC (None)

PRESENTATION (None)

HEARING (None) SBE - VLGA 02302 Los Angeles County Board of Education Minutes of March 14, 2023

REPORTS / STUDY TOPICS

LACOE BUDGET TO ACTUALS REPORT

Ms. Karen Kimmel, Chief Financial Officer, provided a report to the County Board with information regarding LACOE Budget to Actuals Report with Budget Revisions as of February 1, 2023.

Both Mr. Dutton and Dr. Perez indicated that they would like to see Career Technical Education (CTE) in our Juvenile Court Schools.

CONSENT CALENDAR RECOMMENDATIONS

APPROVAL OF CERTIFICATION OF SIGNATURES 2022-23 – AMENDMENT 1

The Superintendent recommended that the County Board Approve the Certification of Signatures 2022-23.

It was **MOVED** by Mr. Dutton, **SECONDED** by Dr. Chan, and **CARRIED** to approve the Consent Calendar Recommendations.

The County Board did not have any questions related to this item.

Yes vote: Ms. Abdo, Dr. Chan, Mr. Dutton, Ms. Forrester, Dr. Johnson, Dr. Perez, and Mr. Cross.

RECOMMENDATIONS

ADOPT THE SUPERINTENDENT'S RECOMMENDATION TO DENY THE CHARTER FOR VISTA LEGACY GLOBAL ACADEMY, GRADES 9-12: APPEAL OF A PETITION TO ESTABLISH A CHARTER PREVIOUSLY DENIED BY LOS ANGELES UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION WITH ATTACHED STAFF REPORT

The Superintendent recommended that the County Board adopt the Superintendent's recommendation to deny the charter for Vista Legacy Global Academy, Grades 9-12.

Ms. Vibiana Andrade, Office of General Counsel and Mr. Duncan McCullough provided the report to the County Board.

Mr. Don Wilson, Ms. Karen Amaya, and Dr. Collin Felch addressed the County Board for 11 minutes/48 seconds.

The County Board had questions regarding this item.

The following individuals spoke in opposition of Vista Legacy Global Academy: Dr. Marla Willmott – LAUSD; Ilse Escobar – United Teachers Los Angeles (UTLA); Ms. Claire Crawford; and Ann Swinburn, California Teachers Association (CTA).

The following individuals spoke in support of Vista Legacy Global Academy: Justine Gonzales - California Charter Schools Association (CCSA); David Defranza - Los Angeles Academy of Arts and Enterprise; Ricardo Mireles – Academia Avance; Erick Guevara -

Los Angeles County Board of Education Minutes of March 14, 2023

Student; David – Student; J. Prono – Educator; Maria Salas – mother; and Marvin and Andrew Lazo (student provided translation for father.)

The County Board had a discussion regarding this item.

It was **MOVED** by Mr. Dutton, **SECONDED** by Ms. Forrester, and **CARRIED** to Approve the Superintendent's Recommendation to Deny the Charter for Vista Legacy Global Academy, Grades 9-12.

Yes vote: Mr. Dutton, Ms. Forrester, Dr. Perez. and Ms. Abdo.

No vote: Dr. Chan, Dr. Johnson, Mr. Cross.

APPROVAL OF FIRST READING OF BOARD POLICY (BP) 3400 (MANAGEMENT OF LACOE ASSETS/ACCOUNTS); BP 0460 (LOCAL CONTROL AND ACCOUNTABILITY PLAN); AND BOARD BYLAW (BB) 9323 (MEETING CONDUCT)

The Superintendent recommended that the County Board approve the First Reading of the above-referenced policies.

It was **MOVED** by Dr. Chan, **SECONDED** by Ms. Forrester, and **CARRIED** to Approve the First Reading of Board policies referenced above.

The County Board did not have any questions related to this item.

Yes vote: Ms. Abdo, Dr. Chan, Mr. Dutton, Ms. Forrester, Dr. Johnson, Dr. Perez. and Mr. Cross.

Ms. Abdo left the Board meeting at 5:31 p.m.

APPROVAL OF SECOND INTERIM REPORT 2022-23

The Superintendent recommended that the County Board approve the Second Interim Report for 2022-23.

It was **MOVED** by Mr. Dutton, **SECONDED** by Dr. Perez, and **CARRIED** to Approve the Second Interim Report for 2022-23.

The County Board did not have any questions related to this item.

Yes vote: Dr. Chan, Mr. Dutton, Ms. Forrester, Dr. Johnson, Dr. Perez. and Mr. Cross.

APPROVAL OF STUDENT BOARD MEMBER FOR 2022-23 WITH ATTACHED STAFF REPORT

The Superintendent recommended that the County Board approve the Student Board Member for 2022-23.

Yes vote: Dr. Chan, Mr. Dutton, Ms. Forrester, Dr. Johnson, Dr. Perez. and Mr. Cross.

Los Angeles County Board of Education Minutes of March 14, 2023

INFORMATIONAL ITEMS

GOVERNMENTAL RELATIONS

Ms. Pam Gibbs, Director of Governmental Relations provided a report to the County Board.

LOS ANGELES COUNTY BOARD OF EDUCATION MEETING SCHEDULE, ESTABLISHMENT OF MEETING TIMES, FUTURE AGENDA ITEMS, BOARD DISCUSSION AND UPDATES ON REOPENING OF SCHOOLS, FOLLOW UP Dr. Duardo indicated that the next Board meeting would be on March 21, 2023.

CLOSED SESSIONS

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION – ONE CASE PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) - LOS ANGELES COUNTY OFFICE OF EDUCATION, ET AL. VS. JUUL LABS, INC., L.A.S.C., CASE NO. 30-2020-01141638-CU-MT-CXC

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION – ONE CASE PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A)(D)(1)

The County Board had two Closed Sessions with Legal Counsel on two cases, pursuant to Government Code Section 54956.9(d)(1): Los Angeles County Office of Education, et al., vs. JUUL Labs, Inc. L.A.S.C., Case No. 30-2020-01141638-CU-MT-CXC; and a second Closed Session with Legal Counsel on one case, pursuant to Government Code Section 54956.9(a)(d)(1) – People v. County of Los Angeles, et al., L.A.S.C., Case No. 21STCV01309.

The Board returned to Open Session. For the record, Mr. Cross indicated that the County Board voted unanimously to vote on the conditional settlement.

LOS ANGELES COUNTY BOARD OF EDUCATION'S DECISION ON INTERDISTRICT ATTENDANCE APPEALS (Closed Session)

AZURIS D. V. EAST WHITTIER CITY SCHOOL DISTRICT

The proceedings were conducted in closed session to reach a decision on the interdistrict attendance appeal. Ms. Vibiana Andrade, General Counsel, represented the Los Angeles County Board of Education. Dr. Sonya Smith, Director Student Support Services, Los Angeles County Office of Education, was also present.

The appellant was not present, but was represented by his mother Ms. Yosie Dominguez. Dr. Trena Gonzalez, Director of Student Services, represented East Whittier City School District.

Four affirmative votes of the Board are required for an interdistrict appeal to be granted. A roll call vote was taken. Voting yes were: Dr. Chan, Mr. Dutton, Ms. Forrester, Dr. Johnson, Dr. Perez and Mr. Cross. The Appeal was granted.

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ADJOURNMENT

It was MOVED by Mr. Dutton, SECONDED by Dr. Johnson, and CARRIED to adjourn the Board meeting.

Yes vote: Dr. Chan, Mr. Dutton, Ms. Forrester, Dr. Johnson, Dr. Perez. and Mr. Cross.

The meeting adjourned at 6:43 p.m.

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1. March 14, 2023 Board Audio recording of Vista Legacy Global Academy. Link: https://www.lacoe.edu/LinkClick.aspx?fileticket=8QWr4s46q6l%3d&tabid=485&portalid=0&mid=1575

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STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES
OFFICE OF EDUCATION

In the Matter of:)
Vista Legacy Global Academy (Item VII.A))
)

TRANSCRIPTION OF AUDIO RECORDING

County Board Meeting - March 14, 2023

Los Angeles, California

Tuesday, March 14, 2023

Transcribed by:

Hanna Jenkin

Job No.: 41189LACOE-AUDIO

1	STATE OF CALIFORNIA
2	FOR THE COUNTY OF LOS ANGELES
3	OFFICE OF EDUCATION
4	
5	
6	
7	In the Matter of:
8	
9	Vista Legacy Global Academy)
10	(Item VII.A)
11)
12)
13	
14	
15	TRANSCRIPTION OF AUDIO RECORDING,
16	File County Board Meeting - March 14, 2023, commencing
17	at 3:00 p.m. on Tuesday, March 14, 2023, transcribed by
18	Hanna Jenkin, Shorthand Reporter in and for the
19	State of California.
20	
21	
22	
23	
24	
25	

1	Los Angeles, California, Tuesday, March 14, 2023
2	3:00 p.m.
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4	
5	PRESIDENT CROSS: We will move on to Item 7.
6	Recommendations, Item A.
7	Adopt the Superintendent's recommendation to deny
8	the charter for Vista Legacy Global Academy, Grades 9-12:
9	Appeal of a petition to establish a charter previously
10	denied by Los Angeles Unified School Board District
11	Board of Education and attached with the staff report.
12	May I have a motion please?
13	MR. DUTTON: Motion, Dutton.
14	PRESIDENT CROSS: Thank you, Mr. Dutton.
15	Is there a second?
16	MS. FORRESTER: Second, Forrester.
17	PRESIDENT CROSS: Thank you Ms. Forrester.
18	Ms. Andrade, do we have a staff report?
19	MS. ANDRADE: We do. And good afternoon, President
20	Cross, Vice President Chan, board members and
21	Superintendent Duardo, colleagues and community.
22	The petition to establish the Charter for Vista
23	Legacy Global Academy was received on appeal after it was
24	denied by the Los Angeles Unified School District Board of
25	Education on November 22nd, 2023. The petition proposes

to establish -- that must be 2022. The petition proposes to establish a 9-12th through grade classroom-based school within Los Angeles Unified School boundaries.

The school proposes to serve 9th grade students during year one. The enrollment set forth in the petition is 125 students in year one with a goal of 500 students by year five of the Charter.

Next slide, please. Next slide, please.

The mission of Vista Legacy Global Academy is to provide a college preparatory program to students in grades 9-12. And to develop the academic, social and political skills necessary for lifelong learning, critical thinking and positive contributions to the communities in which students -- the school's operating entity is Vista Charter Public School, a nonprofit 501(c)(3) public benefit corporation.

Mr. Duncan McCullough from the Charter School Office will present the staff findings.

Mr. McCullough?

VICE PRESIDENT CHAN: I'm sorry. Sacramento cannot

21 hear. Hello?

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22 PRESIDENT CROSS: Hello. Can you hear?

23 VICE PRESIDENT CHAN: Sacramento cannot hear.

24 | PRESIDENT CROSS: Can you hear? Test. Test.

VICE PRESIDENT CHAN: Nothing.

1	MR. JOHNSON: Can we confirm if anyone else on Zoom is
2	able to hear us?
3	PRESIDENT CROSS: Ms. Ado, can you hear us?
4	MS. ADO: I can hear.
5	PRESIDENT CROSS: Dr. Perez, can you hear us?
6	MR. PEREZ: I can hear.
7	MR. JOHNSON: There may be some network issues.
8	PRESIDENT CROSS: Dr. Chan, can you hear me? Dr.
9	Chan, we are advising you to disconnect and reconnect if
10	you can hear any of this.
11	VICE PRESIDENT CHAN: Is anybody speaking now?
12	PRESIDENT CROSS: Can you hear us now?
13	VICE PRESIDENT CHAN: No. I can only hear you, but
14	not Ms. Andrade at all.
15	PRESIDENT CROSS: Okay. We are asking you to
16	disconnect and reconnect.
17	VICE PRESIDENT CHAN: I have a tech person here, so I
18	will let him do that.
19	PRESIDENT CROSS: Ms. Andrade, why don't you try the
20	new mic just
21	MS. ANDRADE: Testing. Testing.
22	Can you hear me?
23	PRESIDENT CROSS: Can you hear now?
24	She is probably disconnecting because we told her
25	to do that

1	MS. ANDRADE: Yeah. We told her. She is connecting.
2	PRESIDENT CROSS: Thanks for your patience, everyone.
3	We will get this worked out.
4	VICE PRESIDENT CHAN: started.
5	So maybe Ms. Andrade can pick up where we lost
6	her. We lost her on the second slide.
7	PRESIDENT CROSS: Can you hear can you hear me?
8	VICE PRESIDENT CHAN: I can only hear board member,
9	but not any speaker or any staff.
10	MS. ANDRADE: Can you hear me now?
11	VICE PRESIDENT CHAN: Now I can hear you.
12	PRESIDENT CROSS: Okay.
13	Ms. Andrade, can we go back to slide two and
14	MS. ANDRADE: Sure.
15	So let me go back to the beginning here. So I'm
16	going start by wishing everyone a good afternoon,
17	President Cross, Vice President Chan, to the board
18	members, Superintendent Duardo, to colleagues and to our
19	community.
20	The petition to establish the Charter for Vista
21	Legacy Global Academy was received on appeal after it was
22	denied by the Los Angeles Unified School District Board of
23	Education on November 22nd, 2022. The petition proposes
24	to establish 9-12th grade classroom-based classroom school
25	with the Los Angeles Unified School boundaries.

1	The school proposes to serve 9th students during
2	year one. The enrollment set forth in the petition is 125
3	students in year one with a goal of 500 students by year
4	five of the Charter.
5	Next slide, please.
6	The mission of Vista Legacy Global Academy is to
7	provide a college preparatory program to students in grade
8	9-12. And to develop the academic, social and political
9	skill sets necessary for lifelong learning, critical
10	thinking and positive contributions to the communities in
11	which the students live.
12	The school's operating entity is Vista Charter
13	Public School a nonprofit 501(c)(3) public benefit
14	corporation.
15	Mr. Duncan McCullough from the Charter School
16	Office will present the staff findings.
17	Mr. McCullough?
18	MR. MCCULLOUGH: Thank you. Can everybody hear me
19	from the
20	PRESIDENT CROSS: Dr. Chan?
21	VICE PRESIDENT CHAN: Yes. Mr. Duncan, we can hear
22	you.
23	MR. MCCULLOUGH: Perfect. Thank you Dr. Chan.
24	Good afternoon, board members, President Cross,
25	Vice President Chan, Superintendent Duardo and members of

the public.

My name is Duncan McCullough, Coordinator III within the Charter School Office here at the Los Angeles County Office of Education. I am here on behalf of the review team to present findings of the Vista Legacy appeal to establish a charter school within the City of Los Angeles.

This slide summarizes the Education Code allowing for a decision to deny a petition for a charter school based on any one of the following findings.

Next slide, please.

The Charter Petition review process is a collaborative effort consisting of numerous departments within the LACOE organization. Individual departments review the petition specific to their expertise and in accordance with the law.

The LACOE staff identified three findings in this report, Finding 2, Finding 5 and Finding 7 on this slide.

And we will discuss these findings in the following slides. For additional details, please refer to the full report.

Next slide, please.

While the petitioner did submit a budget with estimated revenues and expenditures that identified a positive net income for each fiscal year of the petition,

there is evidence it is unrealistic due to inconsistency in budget plan.

Next slide, please.

The petition submitted LACOE indicated a colocation proposal. Ninth graders would begin the year at Vista Charter Middle School. During our review process and public hearing, the Vista School leadership indicated they were seeking a Prop 39 site within LAUSD thereby submitting an inaccurate budget staffing and enrollment projection plan.

Based on the proposed enrollment projections of 125 students, positive ending cash balances each year is contingent upon achieving the annual targeted enrollment. Certificated and classified salaries plus benefits are understated in fiscal year 2023 and '24 by approximately \$407,000.

If Vista decides to accept the LAUSD Prop 39 agreement which included an ADA of 90 students, local controlled funding formula, EPA Entitlement and in lieu of property tax are all overstated. The Charter is not eligible for Title I or Title II funding in its first year of operation.

Next slide, please.

The unrealistic projected enrollment of 125 compared to the Prop 39 enrollment of 90, if accepted, and

basing revenue on only 90 students the budget will reflect a negative net income of approximately \$764,000. The budget plan does not adequately allocate personal and operational expenses in year one and year two to operate a new high school.

Next slide, please.

In reviewing Vista's Fiscal Policies and
Procedures Handbook some additional deficiencies were also
noted. Two of these examples are the credit/debit card
transaction policy has no purchase limit on staff that
have the authority to make purchases on the school credit
card, also the allocated shared cost process between the
campuses and the home office for personnel and services is
not incorporated in the policy or petition.

Next slide, please.

The second indicator of Finding 2 is the implementation of the curriculum program proposed by Vista and intended to differentiate their program from others.

The options for students to participate in a climate change program simply does not exist. During the review team process and pass the interview it was confirmed the curriculum and a subsequent dual-enrollment program has not been developed to offer students at the proposed Vista Legacy campus. We were able to verify this with the UCI faculty member identified in the petition as

a partner in this development.

In similar fashion, the petition's commitment to a Mandarin world language program is unrealistic. The proposed staffing plan at Vista does not budget for this, nor has this program been implemented at their Orange County campus.

Next slide, please.

In addition to those two marquee programs the petition continuously states its commitment to offer an assortment of AP courses. However, it is unlikely these courses will be implemented. Vista has failed to implement AP courses as written within their Orange County high school petition. Additionally, their petition does not identify a process for AP professional development.

Moreover, the petition fails to mention how they will support special education students more intensive supporting needs.

And finally, the current Orange County high school does not have any historical measurements of student data. When we compiled the last four years of data for their existing schools, the results showed limited success. Such as ELA and math results have never exceeded the dashboard color of yellow at any Vista school since 2016 and 2017.

Next slide, please.

In Finding 5, there are 15 required elements of a Charter School Program. Our review team discovered three elements which were found to be not reasonably comprehensive and two elements categorized as reasonably comprehensive with specific deficiency.

For example, the review team found the petition does not demonstrate an adequate framework for an ELD Program, failed to identify how students will recover credits for failed courses and does not adequately address and describe Tier 2 or Tier 3 supports specific to English learners or students with disabilities.

Furthermore, the petition does not cite Annual Academic Outcomes for 9th or 10th grade students. It fails to identify outcomes for science in any grade level. And the outcomes proposed in the petition for measuring student achievement are based on internal assessments of comparison schools which cannot be verified by LACOE.

It is also unclear how they would obtain this data from comparison schools or how they would determine comparison schools in general. Next slide, please.

One quality of Finding 7 is whether the new charter school duplicated program currently offered within the school district. Our review team believes this to be true.

With the absence of any marquee or standout

SBE - VLGA 02319

program, this petition offers the same options already offered by established schools in the area such as Belmont High School which has an intensive curriculum pathway focused on medical and health services, and Downtown Business High School with a curriculum pathway focused on business careers.

These are just two examples of numerous schools located within the three mile radius are well-performing academically and have a capacity to enroll more students.

Next slide, please.

This table shows enrollment peaks and the number of available student openings at high schools within a three mile radius. As the data demonstrates, both LAUSD and several charter schools are currently experiencing significant under enrollment at their high schools resulting in adequate capacity and alternatives for all students in this area.

Assuming that the proposed charter school meets its projected enrollments of 500 this would have a substantial negative impact on local district and charter schools.

Next slide, please.

So to sum up our review team's finding, we believe they are unlikely to implement the petition as written as evidenced by mandatory zero period in violation

of the law, educational programs unlikely to implement such as climate change, Mandarin and AP programs, a staffing plan and budget that the petitioner does not intend to implement, lack of knowledge within the high school as evidenced by a start time in violation of Ed Code, an inadequate plan for credit recovery, lack of academic goals for 9th and 10th graders, failure to plan for the seal biliteracy considering the community, unlikely to serve the community as evidenced by 14 other high schools with capacity within a three mile radius and lack of unique educational program.

Next slide, please.

So in conclusion, our staff findings remain numbers 2, 5 and 7. Our staff is available for any questions you may have. And I thank you for your time in advance.

PRESIDENT CROSS: Thank you for the -- for your report.

According to Assembly Bill 1505, new Regulation 47-605B states, "At the public hearing at which the governing board of the school district will either grant or deny the Charter, petitioners shall have equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings."

Therefore, we will provide an equal amount of

Τ	time which stail took to present this report for the lead
2	petitioner present evidence and testimony.
3	Ms. Robles, do we have anyone avaliable from the
4	charter Vista Legacy Global Academy, Grades 9-12?
5	MS. ROBLES: Yes, Mr. Cross. Thank you.
6	We have Dr. Don Wilson in our Sacramento office
7	who is avaliable. We also have Ms. Karen Amaya here in
8	the board in the board room.
9	PRESIDENT CROSS: Thank you. Ms. Robles, how much
10	time will we provide speakers?
11	MS. ROBLES: Staff took 11 minutes, 48 seconds. So if
12	we can have our IT staff place that time on the timer. If
13	they are able to now.
14	Okay. I can provide that time.
15	VICE PRESIDENT CHAN: So we start with Sacramento
16	office with Mr. Don Wilson and
17	UNIDENTIFIED SPEAKER 1: And then we will follow with
18	Karen Amaya and we will finish with Dr. Felch.
19	VICE PRESIDENT CHAN: And that is minutes okay.
20	All right. Let's go.
21	MR. WILSON: Good afternoon, Board. Good afternoon,
22	Board. I'm Dr. Don Wilson. And I'm the proud
23	Superintendent of Vista Charter Public Schools.
24	Since Charter Law was first established back in
25	1992, it has guided the creation and oversight of charters

with virtually no changes until AB 1505. Since that time, Charter School Law has been clearly defined for the creation of quality public schools of choice.

The law is clear that a proposed charter school should be granted unless it looks to be reasonably unlikely to succeed in a couple of areas. With the advent of AB 1505, there has been a change in the political will of districts to work with charter operators. And after years of unanimous LAUSD Board support we can only surmise it is politics and not the best interest of students that got us here today.

I am very aware of the pressure your charter office under and I appreciate very much the kindness, professionalism and respect they showed us throughout this process. However, we deeply disagree with their findings of a fact and hope to offer important clarifications today that will allow you to support our charter school with an affirmative vote.

To address the most obvious finding first, I think precedence is the only indicator a board may have as to whether a charter is likely to succeed. Our successful 13 years of history leaves is no doubt that not only will we succeed, but we will be highly successful.

We have six successful schools, three renewals, 13 years of glowing oversight reviews and a unanimous

board vote at both LAUSD and OCDE for each and every vote.

LAUSD has currently asked us to be an example of model practices for culture and climate and our instruction and lesson planning process. Last year the OCDE supported us and taking on a struggling parent trigger school which followed with the Anaheim School Board approving us as well. You don't ask a struggling organization to help another struggling organization.

With the success record that goes back 13 years,

I think you can agree that we will be -- we are reasonably
likely to succeed.

The second item of clarification is the assertion that our organizational structure is not a traditional CMO and the idea that having only one board to lead them is somehow a reason to deny our charter. This one is a bit baffling as our structure of independent LEAs under one board is exactly the structure that LAUSD and OCDE prefer.

The structure is not only legal, but also one of the most common organizational structures in the state and one that this board has voted to support many times over. This is clearly a misunderstanding on the part of the Charter Office and not a legal reason to deny us. There are more issues that we'd like to clarify, but I will see my time to Ms. Amaya.

VICE PRESIDENT CHAN: Okay. Ms. Amaya --

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PRESIDENT CROSS: Ms. Amaya, please proceed.

MS. AMAYA: Good afternoon, Superintendent, Members of

3 the Board.

My name is Karen Amaya I am Assistant
Superintendent of Vista Charter Public Schools. Prior to
this role, I served as both Assistant Principal and
Principal at Vista Charter Middle School. And owing to my
prior experience, I have to respectfully disagree with the
findings of your staff.

However, in the spirit of partnership and collaboration and in wanting to come to a place of mutual respect and alignment with what is best for students let me tell you why our petition presents a sound educational program in which we are demonstratively likely to implement successfully.

As you know LAUSD in its conducts annual oversight visits -- in its Annual Oversight visits LAUSD, has given us ratings of four or accomplished in all areas. I did the bring the report if you'd like to reference it.

Some of the items stated in the report is that the school has fully implemented the educational program including key features outlined in the school's charter and aligned to the California State Standards specific to grade levels.

Moreover, our charter is reasonably comprehensive

which will serve the interest of the community. We are very aware of the students that we serve and their needs and the needs of our subgroup students.

In our report, you can find comments from LAUSD that say that the school has fully implemented and monitors the components of the Charter's instructional program designed to meet the learning needs of all students, including its subgroups and modifies instruction based on data analysis. Similarly, OCDE has also praised our program publicly with the highest possible evaluations eight years in a row.

We have collaborated with our authorizers in very productive and construction constructive ways. And we utilize an oversight process as a means for reflection and growth as evidenced by our high marks and continuous praise.

This is not just about Vista. This is about 102 individuals up in the overflow room, our parents, our families and our students who you see behind me. And we have a number of students and speakers who are also share their stories with you.

For now I just ask you to please allow us to continue to demonstrate this record of success and work with you and your staff to provide -- to provide an innovative high school option for the students in LA

1	County	•
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Thank you very much. And Dr. Felch will finish.

MR. FELCH: Thank you, Ms. Amaya.

Good afternoon my name is Dr. Colin Felch. I am the Assistant Superintendent of Vista Charter Public schools. I wish I was there in person, but I had to be there in Sacramento today since earlier this afternoon I was elected to the Member Council for CCSA.

This moment is coming full circle for me personally since almost exactly 10 years ago I received my Los Angeles Teacher of the Year award from the then LACOE Superintendent, celebrating the accomplishments that I made as an AP teacher in an ISSN school in the exact same community in Los Angeles that we are proposing opening Vista Legacy.

This should demonstrate extraordinary capacity to successfully implement our programs and this does not even take into account the experience and expertise of the rest of our team. I would also like to respectfully refute the assumption that Vista Legacy will only have 90 students enrolled next year.

First, that figure was LAUSD's Prop 39 ADA proposal, not the enrollment. Second, we reserve the right to accept or deny Prop 39 just like any other charter school. We already have 100 students from Vista

Charter Middle School committed to attending Vista Legacy in the fall. And we fully expect to reach our 125 student assessment.

I would also like to remind the Board that we may absolutely keep our Vista Legacy -- we may absolutely keep Vista Legacy at our current site as indicated in our petition which LACOE staff visited and cleared as -- and it has a capacity and occupancy of 1,300.

Lastly, I want to address some of the other misconstrued assertions in the findings. First, we absolutely will offer students multiple opportunities to receive the seal of biliteracy through our comprehensive ELA and foreign language programs.

Second, as this very board supported a bill to emphasize climate change instruction just a week ago, it only makes sense that this board should support a school that is on the cutting edge in this field. Working with some of the top scientists in the state, we have been working closely with the UCI Science Project and the UC and CSU Eclipse Initiative over the past year to develop multiple courses that already exist in our schools. Including Introduction to Climate Change, the Living Earth and Chemistry in the Earth's System.

And Ms. Amaya has a physical copy of our agreement with UCI if you would like to see it. Plus our

1	climate change pathway doesn't stop there. In fact, our
2	elementary and middle schools at Vista in partnership with
3	the ISSN's framework for global competence have been
4	facilitating interdisciplinary climate change units
5	throughout this very school year.
6	You should be thrilled to be a part of this
7	incredibly important movement across the state.
8	Not only does Vista have a strong track record of
9	success over the past 13 years in Los Angeles and Orange
10	County through its renewals and annual oversight visits,
11	but we are absolutely confident that we will provide an
12	extraordinary and necessary options for the families of
13	Los Angeles many of which are here today.
14	But don't just take my word for it as Ms. Amaya
15	said, we have over a hundred parents, students and members
16	of the community present today some of which who will be
17	sharing their firsthand accounts as to why we need your
18	support and urge you to approve Vista Legacy.
19	Thank you.
20	PRESIDENT CROSS: Ms. Amaya, do you have anything
21	further?
22	MS. AMAYA: I do not at this time.
23	PRESIDENT CROSS: Okay. Thank you very much,
24	everyone, for your presentation.
25	We will now open for Board questions and

Τ	alsalssions.
2	Ms. Abdo, questions?
3	MS. ABDO: No questions.
4	PRESIDENT CROSS: Dr. Chan, do you have questions
5	VICE PRESIDENT CHAN: Yes, I do. Do we ask questions
6	now? And wait after public comment to have a discussion?
7	Or do we have to do everything now?
8	PRESIDENT CROSS: I think you should do it now.
9	VICE PRESIDENT CHAN: Everything? Questions and
10	discussion. Okay. All right.
11	So, wow. My goodness. So first of all, I really
12	you know, am overwhelmed seeing so many people. And I
13	thank I want to thank and send my gratification to our
14	LACOE staff. I mean, they work very hard. They have to
15	review this and they still have to do their regular work.
16	But also to the charter school folks that also
17	work very hard 3000 pages. And you put this item in
18	front of us and to me, this item is really the students
19	are the most at stake here. So let me ask questions first
20	and then I do have my own due diligence.
21	So I have about two questions
22	PRESIDENT CROSS: Excuse me. Just a second. You will
23	have another opportunity I am sorry. When we go
24	through all the questions further on, there will be an
25	opportunity if you wanting to divide up your questions.

1 Or you can ask them all now. 2 VICE PRESIDENT CHAN: Right. Okay. Yeah. Let me 3 just ask questions first because I do honor and want to know the public -- you know, speakers ideas. And I do not 4 want to make any determination until I hear everybody. 5 6 Okay. So questions only. Okay. Here we go. 7 You know what, let me just start with -- you know, Vista. Because they are right here. 8 9 So first question is Dr. Wilson, the years you worked for Los Angeles Unified School District -- and I 10 understand that I was there, you know. You supervised 11 11 pilot schools, 20 CTE Linked high schools. So exactly 12 what are you -- what kind of schools were you successfully 13 -- you know, supervising then? 14 15 MR. WILSON: Thank you Dr. Chan. And thank you for 16 knowing my history. And I'm going to step back just one few more 17 years before that I was also the principal of one of the 18 top performing elementary schools in the State of 19 20 California. We were in the top 50 schools where I had an opportunity to serve a different population. I always 21 22 believed that what that population was receiving should be 23 available to every child in the State of California and 24 it's really the basis of my why for what we are doing

25

today.

I was then hired under Dr. Tommy Chang. I was hired to work with a Pilot School Programs at 11 schools. Some of those schools were ISSN schools at the time, but no longer exist as ISSN schools. I worked for -- with Linked Learning deeply involved across the state and in LAUSD with over 20 schools working with Linked Learning programs which are programs that address the issues of career -- and of career and college preparation.

I work very closely with CTE. CTE is at the heart of what we do, but we take it a step further and making sure that we have interdisciplinary projects that are continuously going on where our students are having to engage in CTE throughout all of their instructional day. This provides a deep understanding of why they are doing this and what they are doing.

VICE PRESIDENT CHAN: Okay. Thank you. That leads me to the second question. Okay. Because this particular program -- and this question has to do with teacher recruitment. Because we have to consider human capital, okay?

So you are saying that -- okay. This program can integrate global issues in every curricula area. And you're also delivering an interdisciplinary way through this CTE pathway. That requires a lot of teacher teaming and planning. Where you gonna get these teachers?

1	MR. WILSON: (Laughing) What we
2	VICE PRESIDENT CHAN: I know that is a shock question,
3	okay?
4	MR. WILSON: I know. But we have been very successful
5	in our recruiting practices. And more importantly once a
6	teacher starts working with Vista they stay with Vista.
7	One of the things that was brought out in the
8	findings was that we had some of the same teachers sign up
9	for wanting to be reasonably interested in working at our
10	high school and the LACOE team thought that was
11	inappropriate. But for us, that is not only appropriate,
12	but it is a critical good practice.
13	Because by doing this we are bringing teachers
14	into our new school that absolutely already have the
15	experience, the passion and the understanding and they
16	become the first leaders and the first teacher leaders at
17	the new school.
18	VICE PRESIDENT CHAN: Okay. All right. So now let's
19	look at the last question. I understand your net assets
20	for the network of schools that you have latest audit is
21	nine million. Okay.
22	You have a net excess of \$9,000,000. And you
23	have a building already permitted for 1,300. So
24	regardless of LA Unified gave you Prop 39 or not, you are

ready to open the high school this coming fall, correct?

25

1	MR. WILSON: One hundred percent.
2	VICE PRESIDENT CHAN: And you have money for
3	furniture?
4	MR. WILSON: Yes.
5	VICE PRESIDENT CHAN: You have money for teachers?
6	MR. WILSON: Yes.
7	VICE PRESIDENT CHAN: You have money for everything?
8	Okay. So now, thank you.
9	Let me ask two questions of our staff. I do not
10	know. Is Mr. Duncan are you going to be the one who is
11	going to help me out?
12	MR. MCCULLOUGH: Yes, I am, Dr. Chan. I'll try my
13	best.
14	VICE PRESIDENT CHAN: Thank you, Mr. Duncan. You
15	know, so I know that we received letters and questions and
16	this is coming from me, okay? Why why our report
17	showed only one comparison school which is a magnet
18	school? And only one year dated? Is it something that we
19	missed in this report?
20	MR. MCCULLOUGH: Yeah. I can try to kind of answer
21	that. I thought we put up a number of schools on our
22	chart for comparisons. We really only pulled out schools
23	that had similar programs to what Vista was proposing. So
24	those were just examples we gave, but on the chart where
25	there are 14 high schools six of those are charter

1	schools.
2	So there are quite a few schools in that chart.
3	And in the original report we have listed all those
4	schools and their academics, population, demographics and
5	everything else there. Those same schools.
6	VICE PRESIDENT CHAN: Okay. Then maybe I missed
7	something then. Because under Comparison School we are
8	not talking about the original petition you know, all
9	the demographics. We are talking about what you used to
10	compare.
11	When we compare we have to compare apples with
12	apples, oranges with oranges. So in the comparison
13	school, I only saw virtual middle school. A magnet
14	school.
15	MR. MCCULLOUGH: Right. I know what you I
16	understand what you are talking about. We tried to poll
17	some middle schools from that radius of three miles where
18	the site was being located.
19	VICE PRESIDENT CHAN: So where is that data? As board
20	member, I would like to see them.
21	MR. MCCULLOUGH: So well, when we were comparing so
22	one of the I think one of the problems here is that
23	Vista was trying in their petition to categorize all of
24	their schools. But the petition is specific to a high
25	school. And there is not historical data evidence to

indicate successful track records, nor is there enough data from their high school -- their only high school to compare it with anybody else.

So the comparison of middle schools were just meant to show area middle schools versus Vista Middle Charter School, but the petition is trying to establish a high school.

VICE PRESIDENT CHAN: Okay. All right. Thank you.

I just don't want to take too much time other board members need to weigh in, you know?

So the last question is since we are talking about high school then -- okay. So the reason for denial which is number 7 that the charter school is unlikely to serve the interest of the entire community.

Now this requirement has yet to be defined by CDE. CDE is dragging its feet. In LACOE, we ourselves have yet to have a Board adopted interpretation for this particular criteria, what is the community?

And I understand LACOE will be hard because -you know, Antelope Valley a three mile radius is very
different from South Central or Century City. The density
is different so we really don't have an interpretation.

However, for this particular petition we are LACOE, we are or our reviewer, you are using the LA Unified three mile radius -- that three mile fence, is

1	that we're using? The three mile radius? Only
2	MR. MCCULLOUGH: Yeah. Well I simply I used that
3	because it was in the petition. And so I was actually
4	trying to be very balanced with what the petition was
5	saying.
6	They actually coined that term and coined that
7	radius for the development of the school, so I felt it was
8	fair enough to keep it as a rationalization to compare
9	schools, populations and enrollments within that three
10	mile radius. So I didn't develop that through mile radius
11	it started in the petitioners words.
12	VICE PRESIDENT CHAN: I know. Mr. Duncan, I mean, I
13	know that LACOE staff will guide the Board eventually,
14	hopefully before another one that comes, another nebulous
15	made is for LACOE to define our own interpretation so that
16	you know, you do not compare for example for us an
17	Antelope Valley three miles with Downtown.
18	So those are my questions and I will seek to the
19	other board members. I will come back after I listen to
20	all the public speakers. Thank you.
21	PRESIDENT CROSS: Thank you, Dr. Chan.
22	Mr. Dutton, do you have any questions for
23	discussion.
24	MR. DUTTON: Well it seems like we are following suit
25	here. Questions I had in addition to a few that I didn't

1 have were already asked by Dr. Chan. 2 PRESIDENT CROSS: Thank you. 3 Ms. Forrester, questions? MS. FORRESTER: Yeah. I have one clarification in the 4 5 comments about Virgil Middle School. Although part of 6 Virgil is a magnet, Virgil Middle School is not a magnet school completely. So in LAUSD, I do know that community 7 and I do know that school so I believe it is an 8 9 appropriate comparison school. 10 I do have a question for Vista though. referenced their statewide success record. But have there 11 12 been other districts that have denied petitions that Vista has made? And where were those? 13 MR. WILSON: We have never had a --14 15 VICE PRESIDENT CHAN: You need to speak up more. Or get close to -- we only have one -- I'm sorry. We only 16 have one computer here, okay? 17 18 MR. WILSON: We have never had a fully denied petition. The only petitions -- for example, in Orange 19 20 County were denied by the district. But they approved on 21 appeal by the County. 22 MS. FORRESTER: So when you say "fully denied," you 23 had some denials from a district and from a county, but 24 not --25 MR. WILSON: We have never -- we have never had a

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Τ	county denial.
2	MS. FORRESTER: Never had a denial?
3	MR. WILSON: Correct. From the county.
4	PRESIDENT CROSS: Ms. Forrester, more? Thank you.
5	Dr. Johnson?
6	MR. JOHNSON: I don't have any questions, but I'm very
7	much encouraged by the supplemental information that has
8	been provided both today and in E-mails as it does give me
9	some reservations with respect to the existing
10	recommendation to not support it.
11	So for me, I just am happy to be able to review
12	the information much more in detail because there is some
13	variance that makes it reasonable to be somewhat
14	ambivalent here. So thank you.
15	PRESIDENT CROSS: Thank you Dr. Johnson.
16	Dr. Perez, do you have a question? Comment?
17	MR. PEREZ: I think that Dr. Chan asked some of the
18	questions that I had. But I do have a question for staff
19	and then also for the petitioner.
20	Our staff first. You indicate that you do not
21	believe they can accomplish the AP classes as scheduled,
22	as well as the climate courses as scheduled and not even
23	do enrollment as set up. What do you base that on? Go
24	ahead.
25	MR. MCCULLOUGH: Yeah. So our review team thoroughly

1	reviewed the unique climate change the program indicated
2	in the petition. We communicated with the UCI
3	environmental professor indicated the petition as the
4	lead. And we were told there is no dual-enrollment
5	program currently aligned with the UC or Cal State system
6	offered at high schools.
7	In development, they indicate that the curriculum
8	is further along than the reality.
9	MR. PEREZ: Okay. So that didn't include the
10	possibility of community college climate programs which
11	are beginning to blossom here and there. But you're
12	talking about university and Cal State system? Okay.
13	Thank you.
14	MR. MCCULLOUGH: But yeah. Okay.
15	MR. PEREZ: Go ahead.
16	MR. MCCULLOUGH: Yeah. I can also I can also
17	elaborate that the mentioning of the dual enrollment
18	program is not set up in their partnership with LA Trade
19	Tech College.
20	I was also made aware that that same program is
21	not set up in the community colleges surrounding their
22	current high school in Orange County. So that
23	MR. PEREZ: Got it.
24	MR. MCCULLOUGH: Yeah.
25	MR. PEREZ: Okay. I understand.

1	With regard to AP why did you come to that
2	conclusion that they couldn't put together an AP track
3	together?
4	MR. MCCULLOUGH: Well, so AP is not a unique program.
5	It's not hard to have an AP program. However the
6	petitions reference of priority seven course access in the
7	petition
8	MR. PEREZ: Yes.
9	MR. MCCULLOUGH: It quotes they ensure all students
10	have equitable access to enroll in AP courses. They are
11	now in grade 10 where AP courses actually are now in grade
12	9. And one of the easiest pathways to complete that is in
13	social science.
14	MR. PEREZ: Uh-huh.
15	MR. MCCULLOUGH: But they don't have an AP world
16	program. And in the capacity interview, we didn't feel
17	there was evidence that suggested they were.
18	MR. PEREZ: Okay. So they don't have a 10th grade AP
19	social science course? Or curriculum currently at this
20	point?
21	MR. MCCULLOUGH: Correct. And their modeling
22	MR. PEREZ: Okay.
23	MR. MCCULLOUGH: new school from the old school's
24	petition.
25	MR. PEREZ: Got it. Got it.

1	And my last question for staff with surrounding
2	schools. I think you sort of answered it. But do you
3	know the academic achievement of those schools that you
4	compared to the current Vista? Are they doing well? Are
5	they comparable? Those surrounding schools?
6	MR. MCCULLOUGH: Yeah. So in the full report on page
7	1 and 2, there is a list of the tables there and they
8	demographics and the achievements.
9	They are doing comparable. I think what this
0	shows is the accessibility of a lot of alternative
1	programs for students in that area.
2	MR. PEREZ: Right.
3	MR. MCCULLOUGH: and the choices they have to go
4	to. But I think they are mostly academically
5	well-performing. And mostly have programs that are
6	interesting to kids.
7	MR. PEREZ: Okay. Thank you for that, staff.
8	And now I will turn it over if the Board doesn't
9	mind. Questions the same questions for Vista.
0	The AP climate and surrounding schools question
1	if you overheard it. Can you respond?
2	MR. FELCH: Yeah. Absolutely. So for the AP classes
3	first of all, this is Dr. Felch speaking. As an AP
4	teacher myself and as an administrator who successfully
5	implemented AP programs when I was in LAUSD, I can tell

1	you for certain that we will have AP programs at our high
2	school next fall when we have students entering the 11th
3	grade. And we absolutely will have AP programs and
4	successful AP programs at Vista Legacy.
5	And I would also like to mention that in addition
6	to AP programs, in Orange County, one hundred percent of
7	our students have successfully enrolled in
8	dual-enrollment. So they are also receiving college
9	credits, even in 9th and 10th grade.
10	MR. PEREZ: Okay. And the climate question, can you
11	respond to that.
12	MR. FELCH: Yeah. Absolutely. So it is much further
13	and many of the many of the courses have already
14	been developed. So as I mentioned in my speech, the Intro
15	to Climate Change, an introductory class, the Living Earth
16	and Chemistry and the Earth's System are three classes
17	that have already been developed in partnership with UCI.
18	We never said that we were doing dual-enrollment
19	with UCI. We have been working with the UCI Science
20	Project and Dr. Kelly Lay to develop this curriculum.
21	Now, we are working with our local community
22	college partners both in Orange County and as you
23	mentioned LA Trade Tech to build out our dual enrollment
24	course pathways for the for that
25	MR. PEREZ: You have not had that discussion of

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1 alignment with LA Trade Tech or West LA on their climate 2 courses yet? 3 MR. FELTCH: So we have had those discussions, however without an approved Charter Petition, we can't enter into 4 5 any MLU with --6 MR. PEREZ: Got it. Okay. And finally, the surrounding school you 7 are compared to, why you? Why are you needed at that 8 9 place at this time? If you have got other schools accessible to the students? Give me the answer of why. 10 With regard to the surrounding schools the 11 MS. AMAYA: 12 data that --13 MR. PEREZ: Is this Ms. Amaya? Oh, I'm so sorry. Yes, this is Ms. Amaya. MS. AMAYA: 14 15 MR. PEREZ: Okay. Thank you. Go ahead. The data that was used was just one year 16 MS. AMAYA: 17 worth of data from last year. And as you know all schools 18 struggled. It was the first testing year after the pandemic. If you do go back to the data before the 19 20 pandemic, you'll see that our schools did outperform the 21 surrounding schools not only in achievement, but also in 22 growth. 23 And now that after AB 1505 being compared to the 24 State, that year we had an 11 percent growth in math in

one year and an 8 percent in language arts in one year

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which is a lot more growth than the State or any of the surrounding schools that year.

With regards to why this school is needed right now, because again contrary to the findings, yes there are other schools that have similar programs, but our program is very comprehensive. It's not just the health -- the health pathway or the business pathway it's health business and climate change when it's fully developed within the first charter term. As well the use of our restorative practices.

And under the umbrella of the ISSN and having students develop global confidence. You cannot find a single school in the area or even outside of the area that offers our students that type of program. And our students are getting it now.

They get it at our elementary schools, at our middle schools. And our families and our students are asking for that same type of program in high school which is not being offered at any of the surrounding schools.

MR. PEREZ: Thank you, Ms. Amaya --

MR. FELTCH: If I could chime in to add on. We are an ISSN school. And as Ms. Amaya alluded to, there is not a single ISSN school within 20 miles of the proposed site. The closest ISSN school is in Pecoima.

MR. PEREZ: Okay. Thank you so much. Mr. Cross, that

1	answers my questions.
2	PRESIDENT CROSS: Thank you, Dr. Perez.
3	I just would I just would like to say that
4	this is the first charter that we have looked at in quite
5	a long time. And I have had flashbacks to four or five
6	years ago when I accused the staff of trying to find ways
7	to say no instead of finding ways to say yes.
8	Some of these things are just technical and
9	easily corrected. Lack of signatures, policies in the
10	financials and credit card policies, et cetera. Those are
11	not reasons to turn down a charter is all I have to say.
12	Ms. Abdo, are there any individuals at your
13	location that would like to make public comment?
14	MS. ABDO: No. No one is here.
15	PRESIDENT CROSS: Thank you.
16	Dr. Perez, is there anyone at your location that
17	would like to make a public comment?
18	MR. PEREZ: No. Nobody is here.
19	PRESIDENT CROSS: Thank you, sir.
20	Dr. Chan. Are there any individuals at your
21	location that would like to make a public comment?
22	VICE PRESIDENT CHAN: I have quite a few. I do not
23	know how to do it. I thought that maybe let the let
24	the Downey people. I do not know. So tell me. Help me.
25	Okay.

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1	Justine Gonzalez. Okay. Justine Gonzalez. We
2	have two to start. So
3	PRESIDENT CROSS: Excuse me. Dr. Chan, let me try to
4	help you out. It was my fault. If you have people that
5	are in opposition if you have people there at your
6	VICE PRESIDENT CHAN: No. No.
7	PRESIDENT CROSS: please let them go first.
8	VICE PRESIDENT CHAN: Two opposition. Okay. Let
9	opposition come first.
10	Come on.
11	PRESIDENT CROSS: There is a limit of ten minutes for
12	speakers in opposition.
13	VICE PRESIDENT CHAN: Okay.
14	MS. GONZALES: Okay. I won't be speaking that long.
15	MR. DUTTON: I think it is important to be clear.
16	Opposition of what? The recommendation
17	PRESIDENT CROSS: Yes.
18	MR. DUTTON: Or the charter
19	PRESIDENT CROSS: In opposition to the recommendation
20	to deny.
21	MR. DUTTON: Thank you.
22	PRESIDENT CROSS: Is that correct? You are in
23	opposition of the motion to deny?
24	(Inaudible chatter)
25	VICE PRESIDENT CHAN: Goodness.

1	PRESIDENT CROSS: For clarification, I guess it is
2	people who would not like to adopt the recommendation. In
3	other words, people in favor of Vista Charter School.
4	VICE PRESIDENT CHAN: I would like this is Member
5	Chan. I would like to move to approve the Charter with
6	technical amendment.
7	PRESIDENT CROSS: Dr. Chan, we are looking for people
8	at your location who would like to speak
9	VICE PRESIDENT CHAN: Oh.
10	PRESIDENT CROSS: in support of
11	VICE PRESIDENT CHAN: Oh, in support. I'm sorry. I'm
12	lost in communication. In support
13	PRESIDENT CROSS: Excuse me. We just had a double
14	negative going here. So we are looking for people who are
15	in opposition to the motion which is to deny which results
16	in support of the Charter.
17	VICE PRESIDENT CHAN: Oh, double negative. Okay. You
18	are in support, then you come in and speak.
19	PRESIDENT CROSS: I am sorry. Yeah. It is so we
20	are looking for people who want to speak in opposition of
21	the motion to deny.
22	VICE PRESIDENT CHAN: Okay. All right. Okay. Oh my
23	goodness.
24	MR. DUTTON: You have a total of ten minutes, right,
25	Mr. Cross?

1	PRESIDENT CROSS: There is a total of ten minutes
2	for
3	MR. DUTTON: For all speakers in opposition to deny.
4	PRESIDENT CROSS: Yes.
5	VICE PRESIDENT CHAN: So that means that have to keep
6	it short. You have people in Downey.
7	MS. ANDRADE: So Mr. Cross, if we can take I know
8	that Downey I know our board room has two individuals
9	who are here to speak in opposition of Vista Legacy Global
10	Academy.
11	PRESIDENT CROSS: I will take those first.
12	MS. ANDRADE: Yes, please.
13	VICE PRESIDENT CHAN: Oh.
14	PRESIDENT CROSS: Okay. See this is backwards again
15	so we are speaking in these are people who are in
16	opposition to the Charter, but in favor of the
17	Superintendent's recommendation to deny.
18	So the first speaker will be Marla Willmott from
19	LAUSD. I am sorry for the confusion. I am getting
20	twisted myself.
21	MS. WILLMOTT: Good afternoon, Board President Cross,
22	Superintendent Duardo and members of the Los Angeles
23	County Board of Education. My name is Marla Willmott and
24	today I am representing the Los Angeles Unified School
25	District where I serve as the Administrative Coordinator

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in the Charter Schools Division.

Los Angeles Unified School District supports the recommendation of the Los Angeles County Board of Education staff and reiterates the prior decision of the LAUSD Board of Education to deny the establishment of the Charter for Vista Legacy Global Academy.

On November 15th, 2022 our Board of Education voted to deny Vista Legacy Global Academy's petition based on findings that: One, the petitioners are demonstratively unlikely to successfully implement the educational program set forth in Vista Legacy Global Academy's petition.

Two, Vista Legacy Global Academy's petition does not contain reasonably comprehensive descriptions of all the 15 elements set forth in Education Code. Vista Legacy Global Academy is demonstratively unlikely to serve the interest of the community in which the school is proposing to locate.

A detailed analysis of the findings of fact adopted by the LAUSD Board of Education were included as part of the board documents at the LACOE Board of Education meeting on February 7th, 2023.

After careful review and consideration of the petition and supporting documentations presented by the petitioners, the LAUSD Board of Education took action to

1 deny this establishment of this petition. 2 LACOE staff has come to the same conclusion to 3 recommend denial on Vista Legacy Global Academy's petition 4 and we ask you support the recommendation today. 5 Thank you. 6 PRESIDENT CROSS: Thank you very much. The time that -- there is a total of twenty 7 minutes for defensive -- or in opposition or support of 8 9 this motion so the -- excuse me. 10 VICE PRESIDENT CHAN: This is Sacramento. Anybody talking here? 11 12 PRESIDENT CROSS: Ms. Escobar? 13 Excuse us, Ms. Chan. We are -- I --That is fine. VICE PRESIDENT CHAN: 14 PRESIDENT CROSS: We are back to it. So Ms. Escobar 15 16 is speaking against the Charter in support of the motion. 17 Please proceed. 18 MS. ESCOBAR: Hi, everyone. My name is Ilse Escobar 19 of the Political Action and Community Organizing 20 Department of United Teachers Los Angeles, UTLA, 21 representing 33,000 educators united for a great public 22 education for all. 23 I speak today in support of the Superintendent's 24 recommendation to deny the appeal petition to establish 25 Vista Legacy Global Academy. Both LACOE staff and LAUSD

Board found that approval of this charter petition would cause an unfavorable fiscal and community impact for LAUSD schools and students.

Here are some reasons -- very serious reasons why Vista's petition was deficient. LACOE staff found a lack of verifiable signatures of both parents and teachers seeking to enroll their children in the school or to work there respectively.

The requirement to reverify enrollment and employment interest is not perfunctory. It is for the protection of the public here included, for the protection of future students and workers.

The petition to did not adequately describe how they would meet the needs of students struggling academically or students who are differently-abled.

There was a finding that Vista Global Academy plans to allocate only a quarter of a special education teacher to their school. Do parents know that? They will not have a full-time special education teacher.

Additionally, they failed to provide a reasonably descriptive plan in accordance with IDA, Sections 504 and ADA. This is an alarming flag.

I also know that LAUSD's report found that
English learners, many of them here today, enrolled in
existing Vista Charter Schools are performing lower than

1 the State average in English language proficiency. 2 The area in which Vista Global Academy proposes 3 to establish is one where I have long organized. It is 4 the heart of the immigrant community including 5 unaccompanied minors and recent migrants. The school 6 charter would substantially undermine existing services, good schools, academic offerings that LAUSD has to offer 7 8 in the area. Belmont High School, LA Academy of Arts and 9 10 Enterprise, Downtown Business School. These great schools 11 stand to lose resources and educators if Vista opens. 12 On this theme of resources lost, per LAUSD's accounting union record another of Vista schools, Vista 13 14 Horizon Global Academy at one point owed the district over \$141,000 and still owes 110,000. 15 These funds owed to the district are not 16 17 insignificant and even when they are finally paid back, 18 they might not make up for the loss of resources the schools have experienced due to this Prop 39 over 19 20 allocation space to Vista. For these reasons --21 PRESIDENT CROSS: Excuse me. 22 MS. ESCOBAR: Yeah. PRESIDENT CROSS: Your three minutes is up. Thank you 23 24 very much.

MS. ESCOBAR: Thank you. Please deny the appeal.

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1	PRESIDENT CROSS: Thank you.
2	Now, just we are going to move on to those
3	that are in support of the Charter Vista Legacy and in
4	opposition to the Superintendent's recommendation.
5	Just so you know, there is ten minutes allocated
6	for those speaking in support.
7	VICE PRESIDENT CHAN: We have couple here.
8	PRESIDENT CROSS: Whatever time is remaining from the
9	people that were speaking in opposition so the time
10	VICE PRESIDENT CHAN: Mr. Cross Mr. Cross, we still
11	have two more here. They still have time, right?
12	PRESIDENT CROSS: Speaking in
13	VICE PRESIDENT CHAN: Speaking for the recommendation
14	to deny.
15	PRESIDENT CROSS: Yes.
16	VICE PRESIDENT CHAN: Yes.
17	PRESIDENT CROSS: Sorry. Like a said
18	VICE PRESIDENT CHAN: On so can I have them come in,
19	please?
20	PRESIDENT CROSS: Yes. Right now there is three
21	minutes per speaker. And they have 4 minutes and f58
22	seconds left.
23	VICE PRESIDENT CHAN: Oh, yeah. Yeah.
24	MS. CRAWFORD: Okay. This is Claire Crawford from
25	•

1	MS. ANDRADE: Mr. Cross? Mr. Cross, if I may? We
2	have the remaining time of 14 minutes 58 seconds for
3	public speakers who wish to address the Board in support
4	of the Vista Legacy Global Academy.
5	PRESIDENT CROSS: We are going to take the people in
6	the room before
7	MS. ANDRADE: We should according to Ms. Karen
8	Amaya, we will be taking the individuals that are here
9	today in the LACOE board room. And if there is any time
10	remaining we will take those individuals that are in our
11	remote locations.
12	PRESIDENT CROSS: So do you understand that, Dr. Chan?
13	VICE PRESIDENT CHAN: Yes. You take the in person
14	first, right?
15	PRESIDENT CROSS: Yes. Let me ask a technical
16	question then. Some of the people on my speaking list are
17	not here in the room. Like
18	VICE PRESIDENT CHAN: Right now, these two ladies are
19	in the room. They are present. They are not remote.
20	They are with me. And they have been waiting. And they
21	would like to speak in support of the denial and I thought
22	that they had the minutes to do that.
23	PRESIDENT CROSS: Ms. Andrade, we need a decision.
24	Are we going to take the people in the room first? Or the
25	remote people first?

1	MS. ANDRADE: I think the remote people are the people
2	that are on the same side as that as the time that has
3	been allocated, correct?
4	VICE PRESIDENT CHAN: Correct. They are on the same
5	side
6	PRESIDENT CROSS: That is the sequence in the agenda
7	so
8	MS. ANDRADE: I would take them first.
9	PRESIDENT CROSS: Okay. Dr. Chan, you have 4 minutes
10	and 58 seconds for the people you are in to speak in
11	support of the Superintendent's recommendation.
12	(Inaudible chatter)
13	MS. CRAWFORD: Should I go?
14	VICE PRESIDENT CHAN: Yeah. Yeah.
15	MS. CRAWFORD: Okay. This is Claire Crawford within
16	the public interest. And I am speaking in support of the
17	Superintendent's recommendation to deny.
18	LAUSD staff report and their Board adopted
19	findings in support of denial that are consistent with
20	LACOE Superintendent's recommendation based on facts that
21	support the three findings that have been outlined.
22	As you know a lot of discussion has happened
23	previously about the academic outcomes of Vista Charter
24	Public Schools. And I do want to highlight that when
25	comparing the outcomes for Vista Charter Middle to three

area LAUSD middle schools that BCPS actually highlighted it for the 2022 school year the outcomes are basically the same or worse for Vista Charter Middle School.

In addition, as it was identified in the staff report one of their schools in Orange County was identified as low performing by the California Department of Education based on academic outcomes. Were it not for state mandated extensions of the over the charter term this school would most likely be non renewed.

The idea of authorizing this school would be at the expense of students in LAUSD's other schools in the area. The LACOE staff report even identified the possibility of having to shut down one of the high schools in that area because of the declines in enrollment that would be due to opening this school.

The whole point of AB 1505 and some of the new provisions of the law is actually to ensure that the students that will not attend the proposed charter school's interests are also considered when making a decision.

And both staff reports demonstrate that there will be a fiscal impact in the area that will reduce services and staff and could potentially lead to the shutting down of a school that children in LAUSD are currently attending.

1	The duplication of services and programs is also
2	another issue that was identified. And the most important
3	way to interpret that component of the law is it's about
4	whether the opening of the school due to duplication of
5	programs will negatively impact the existing programs in
6	LAUSD.
7	And both staff reports found that in fact it
8	would. This could lead to the shutdown of those programs
9	in LAUSD schools and negative consequences for other
10	students in the area.
11	So I strongly urge you to follow the
12	Superintendent's recommendation and deny the appeal.
13	Thank you.
14	VICE PRESIDENT CHAN: You still have time.
15	PRESIDENT CROSS: Just slightly over the three minutes
16	for that person. If you have anyone else from you end,
17	they have 2 minutes and 35 seconds left.
18	MS. SWINBURN: Okay. Good afternoon Board Members.
19	My name is Ann Swinburn. I am a Charter School Policy
20	expert with the California Teachers Association.
21	CTA respectfully encourages you to deny the
22	appeal of Vista Legacy Global Academy. Both the LAUSD
23	board and LACOE staff and Superintendent provided thorough
24	and thoughtful analysis of the petition strengths and

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weaknesses. And we agree with their decision that this

1	petition should be denied.
2	In my capacity as a charter school policy expert
3	working with authorizer statewide to analyze and make
4	decisions about public charter school petitions I found
5	the staff analysis very thorough. It reflected my own
6	concerns about the shortcomings of the petition.
7	Therefore, we ask you to please adopt the staff
8	and Superintendent's recommendations and deny the appeal.
9	Los Angeles students at district schools and charter
10	schools are counting on you.
11	Thank you.
12	VICE PRESIDENT CHAN: Okay. I think went to the
13	five, six.
14	PRESIDENT CROSS: Dr. Chan, you have if there is
15	anyone else there is 1 minute and 41 seconds left.
16	Dr. Chan, do you have anyone else at your end
17	speaking in support
18	VICE PRESIDENT CHAN: Let me double check just to be
19	fair, okay?
20	Are they okay? All right. All done. No more.
21	Okay.
22	(Inaudible chatter)
23	PRESIDENT CROSS: Dr. Chan, are you polling your
24	group?
25	VICE PRESIDENT CHAN: Okay.

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Τ	UNIDENTIFIED SPEAKER. HE ASKED IT YOU WANT TO CLAFITY
2	that you are done polling?
3	PRESIDENT CROSS: Do you Dr. Chan
4	VICE PRESIDENT CHAN: Okay. Okay. They are fine.
5	Okay. They left so all right. Next.
6	PRESIDENT CROSS: All right. So now we are going to
7	speak. There is 10 minutes. I am going to follow the
8	sequence of the script this time.
9	So there is 10 minutes allocated to people
10	speaking in opposition to the motion and we are adding 1
11	minute and 41 seconds to that, so there is 11 minutes 41
12	seconds. And we will take the remote people first.
13	So Dr Ms. Abdo, is there anyone at your end
14	that would like to speak in opposition to the
15	Superintendent's recommendation?
16	MS. ABDO: Still nobody here.
17	PRESIDENT CROSS: Thank you, ma'am.
18	Dr. Perez, are there any individuals at your
19	location that would like to speak in opposition to the
20	recommendation?
21	MR. PEREZ: No. Nobody here.
22	PRESIDENT CROSS: Thank you, sir.
23	Dr. Chan, are there any individuals at your
24	location that would like to speak in opposition to the
25	Superintendent's recommendation?

1	VICE PRESIDENT CHAN: Yes, there are. But I do not
2	know how many are allowed. Three. Okay.
3	PRESIDENT CROSS: Each speaker has up to 3 minutes for
4	a total of 11 minutes and 41 seconds. We also have people
5	here in Downey that would like to speak, so you may go
6	first.
7	VICE PRESIDENT CHAN: Okay.
8	PRESIDENT CROSS: Each speaker should say their name
9	for the record.
10	MS. GONZALEZ: Hello. Can you hear me?
11	PRESIDENT CROSS: Yes.
12	MS. GONZALEZ: Hi. So Justine Gonzalez for the
13	record. If I could just start my time.
14	Good afternoon Members of the LA County Board of
15	Education. My name is Justine Gonzalez and I currently
16	serve as Senior Director of Local Advocacy at the
17	California Charter Schools Association. In addition to my
18	staff role, I'm a parent of a third grader at a Los
19	Angeles public charter school and live within just a few
20	miles of the proposed site of Vista Legacy Global Academy.
21	We are here to ask the Board of Education to
22	reject these findings and staff recommendation and urge
23	the Board to approve Vista's petition.
24	The findings before you do not meet the legal
25	standards to deny a petition and the evidence provided is

not rigorous or equitable. Yesterday you received a letter from CCSA and a letter signed by more than 200 schools serving more than 100,000 students across LA.

While CCSA's letter better explains in further detail why the findings are deficient, our school communities take these opportunities to collectively remind the Board that the law encourages the establishment of high quality public charter school options for families in LA county.

The actions you take on the petition today have the potential to set detrimental precedence. As a staff recommendation that relies heavily on speculation and conjecture rather than facts to limit these options for families.

The staff recommendation relies on an incomplete and unfair examination of the petitioner's track record as a charter school operator with no mention of Vista's track record in the staff report at all.

Vista Charter Public Schools has strong track records of success and operational performance including on LAUSD's own rigorous rubric. When you consider the students Vista serves, the schools score in the top 30 percent of schools in the State when considered -- when we're considering student populations as measured by the CCSA's similar student metric.

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1 And finally, in terms of previous comments, Vista 2 Public Charter School is providing a unique opportunity for families. A unique program that families in their 3 4 community have been asking for. So I -- again, CCSA urges you to reject the 5 6 findings and vote to approve Vista Legacy Global Academy. 7 Thank you. VICE PRESIDENT CHAN: All right. Next speaker from 8 9 Sacramento. MR. DEFRANZA: Good afternoon. My name is David De 10 Franza and I am the principal at Los Angeles Academy of 11 12 Arts of Enterprise, one of the schools identified as 13 offering duplicative programming in the LACOE findings. 14 To the contrary, I believe there are meaningful distinctions between the college and career pathways 15 16 described in the Vista petition and those offered at my 17 Together both programs complement one another to school. provide unique choices for students and families. 18 Thank you. 19 20 VICE PRESIDENT CHAN: Okay. One more. One more. 21 MR. MIRELES: Good afternoon Board. This is Ricardo

MR. MIRELES: Good afternoon Board. This is Ricardo Mireles, I'm the founder and executive director of Academia Avance in Los Angeles. Our school has been renewed three times -- three times on appeal so we understand the appeal process and we stand ready to

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1 provide support to the Vista Legacy Global Academy as they 2 prepare to offer an excellent program for these kids and these families. 3 The issue the technical assistance and issues 4 5 with the petition are easily resolved that was our 6 experience in our charter renewals. And we believe the 7 school will be a great partner with the LACOE staff as our experience was when we were authorized by LACOE. 8 Thank you very much. I highly encourage you to 9 10 go the motion of approving this appeal for this school. Thank you. 11 12 VICE PRESIDENT CHAN: Anybody else from Sacramento? 13 No. Okay. So all the Sacramento --14 PRESIDENT CROSS: Thank you, Dr. Chan. 15 We will move on to the people that are here in Downey. The first one I have on my list is I think it's 16 17 Roano (phonetic) -- I am not a hundred percent sure. 18 Erick. Erick and/or David and it is going to be one or

MR. PRONO: Mr. Prono. I'll go ahead and start off.

the other and three minutes each. So who --

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PRESIDENT CROSS: Okay. Fine. You have 3 minutes.

MR. PRONO: Good afternoon. Superintendent, Board President and Members of the Board. My name is Jay Prono. I have had the privilege of teaching Project Lead the Way

courses at Vista Charter Middle School. The design and

modeling classes is part of the middle school gateway curriculum that introduces students to the engineering process.

The class allows students to think critically, problem solve and develop solutions to make a positive impact in their communities.

At the start of the semester students collaborated to develop a model of a foot orthosis for a child with cerebral palsy. Through this project students were introduced to what cerebral palsy even was and how to use the engineering process to find solutions, not just go with their first random idea that popped up or argue about whose idea was best when they would when they drew it.

They had to use that process and the skills introduced through PLTW to design, model, collaborate, evaluate and present their solutions. These members this year is of the same group that I'm working with right now as we are gearing up to work on global issues on a wider scale so I can take students to John Hopkins University in Baltimore in June to present their global issues to a panel out there.

So I want to hand this over to a couple of my students here. So I will hand this over to Erick to explain his experience.

MR. GUEVARA: Hello. I am Erick Guevara and I am a

6th grader at Vista Charter Middle School. In Design and Modeling one of my first projects we worked on is the foot orthosis.

The foot orthosis is that project where we had to work in a team together to design a correct boot for a child while cerebral palsy. We need to design a boot for allowed the child to lift their foot, stand flat, that would prevent them from standing on their tippy toes.

This project really pushed us to work together and think creatively.

One of the biggest challenges and things I learned from this project is that my first idea and my first sketch is not always the way something will turn out. I learned that there will be many challenges and that my first idea is not always the best.

The other big challenge is a current project that we are working on which is called the skimmer project.

For the skimmer project we are learning how to measure using a ruler, learning about force and motion and learning how to find averages and create data charts.

As they PLTW student I am looking forward to many other skills that I will be learning from now and through my time at Vista Legacy.

Thank you for your time.

Now I would like to bring up my teammate, David.

PRESIDENT CROSS: Can I ask that you speak into the microphone so we can hear you real clearly?

Thank you.

MR. RODRIGUEZ: Hello. I am David Rodriguez and I am also a 6th grader at Vista Charter Middle School. I am also a student in designing Design and Modeling. I worked with Erick on the foot orthosis project.

When I first started this project we had to pick a job. I picked a job of manager because I thought it would be fun. When we started working as a group I found that it was hard to manage people. It was hard to keep them on task and stop them from playing games.

I learned that managing it game is not as easy as I thought. I was not just able to tell people what to do. I learned -- I learned that when I manage people, I need to help them stay on task, I need to help them with the project and I need to get people to work together.

I know that I'm getting into Design and Modeling and I know that there'll be many more challenges through this course, but what we learn in class is that is that what we learn in this course we will be able to apply to every class every grade and in our future life.

I look forward to continue taking PLTW classes through the rest of my time at Vista Charter Middle School and also as a Vista Legacy Student.

Thank you for your time.

MR. PRONO: So as you can see students began Project Lead the Way courses was designed and modeling in my classroom or in Ms. De la Santos' classroom which she is right upstairs with the rest of her group.

And then they move on and continue their journey with automation, robotics, medical detectives, green architecture and for some of my students they take these skills and work with me after school to focus on three areas. They'll take these skills into Legacy to continue their advancement into understanding the engineering process.

At this point, I would just like to ask the Board to please vote to approve the charter petition for Vista Legacy Global Academy so that Vista students, the ones that are coming up and going into the system and through our programs can continue these types of experiences throughout their high school careers. Thank you.

PRESIDENT CROSS: Thank you.

Maria Salas, you have 3 minutes. And there is 3 minutes and 38 seconds left, so just so you know.

MS. SALAS: Yes. Hi Mr. Superintendent and Board Members. My name is Maria Salas, I am here with the mothers. We have a lot of mothers upstairs, like a whole crowd of students waiting for you guys to say yes to us,

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for you guys to understand us and to understand where we are coming from.

We are coming from our community that has a lot of violence, a lot of guns, a lot of gang bangers, but you know what? We have hope for our students. We have hope that you guys can make things happen for us. We have hope that you guys can give us the opportunity to open a school for our kids to have a future.

I come with my kids IEPs to prove that young ladies, that we do have IEP. That we do have teachers that care for our kids with IEPs -- with special needs. I am an IEP student I had a problem with learning, reading and writing.

My son is right there that helps me everyday with my papers, but I get it through. I advocate for all mothers. My English is perfectly fine. I just have a problem with my reading and writing. But you know what? That doesn't stop me.

We are strong. Parents are very strong. And the teachers are great. Just give us the opportunity to open a school that will have a future. District and charters we can all work together. Just give us that opportunity to show you guys that we can rise up.

Right now you are saying give me a lot of good things to say yes. Say yes to us please, we beg you. You

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1 know, we come from different -- you know places and towns 2 and cities. Please we are hoping on you guys to have faith for us and to have faith for the students for a 3 future because who is the future is our kids. 4 And the kids are the teachers are their kids too 5 6 because they stay half of the time with them too. And we have faith on them. So please, we beg you. 7 8 There is nothing I can tell you that hopefully you can understand where we are coming from. And I feel 9 that for high school to be great, parents have to be great 10 11 and teachers have to be great, but also you guys are great 12 for coming together to unite to become a better school and a better school for all our kids. 13 14 Thank you very much. 15 PRESIDENT CROSS: Thank you. 16 Marvin Lazo. One minute and 17 seconds 17 remaining. 18 MR. LAZO: (Speaking Spanish) TRANSLATOR: Good afternoon. My name is Andrew Lazo 19 20 this is my dad, Marvin. And I will be translating for him 21 today. I'm also here because I'm also here because to support and agree to his comments. 22 23 MR. LAZO: (Speaking Spanish) 24 TRANSLATOR: I'm here because you guys decided 25 (beeping) of the students with disabilities. My son

1	Andrew has an IEP
2	PRESIDENT CROSS: Andrew, I am going to let you finish
3	the translation, but the time is up so finish your
4	father's translation for us. Thank you.
5	TRANSLATOR: My son has an IEP and a special education
6	team at Vista has helped him tremendously. Vista students
7	with IEPs receive a lot of support in the classroom. They
8	rely on education specialists and the team of TAs that get
9	to know every student how best to support their learning.
10	MS. ANDRADE: Mr. Cross, you may want to give him
11	additional time because he is speaking a different
12	language.
13	PRESIDENT CROSS: That is fine.
14	Mr. Lazo, do you have more to say to add to your
15	comments? We will give you some extra time because of the
16	translation.
17	TRANSLATOR: Yes, we do.
18	MR. LAZO: (Speaking Spanish)
19	TRANSLATOR: My son has gotten the support he needs
20	from this team while allowing him to be independent in the
21	general education setting. They have an open door policy
22	so students know they can come to support at anytime, not
23	just when they have a scheduled service. And he gets
24	support at all his classes not just ELA and math.
25	My son Andrew has got a strong relationship with

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1	the SPED team outside of the classroom. I have seen him
2	I have seen the progress I have seen him progress so
3	much in his reading level and math. I have also noticed
4	how much independence he has gained thanks to the
5	thanks to the help of the SPED team he has also learned to
6	speak up for himself.
7	And I agree with my dad. Because not only did I
8	grow academically by getting higher scores, but I like how
9	I can come to the RSP room with any educational and
10	personal questions I struggle I have struggles I
11	have. When I am leaving I know that I have the support of
12	the SPED team.
13	PRESIDENT CROSS: Thank you. Thank you both for your
14	comments today, Mr. Lazo and Andrew. I appreciate it.
15	And on behalf of the Board I want to thank all
16	the speakers today for your testimony. And we will go to
17	the Board now and see if there is any discussion that they
18	would like to like to have. This is for the Board.
19	Ms. Abdo, do you have any comments?
20	MS. ABDO: No. I am ready to vote.
21	PRESIDENT CROSS: Thank you.
22	Dr. Chan?
23	VICE PRESIDENT CHAN: Yes, I do. I have to do my own
24	due diligence and maintaining the legal and fair

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perspective.

So really on the questions of denial. On the first one, how likely can petitioners implement the program successfully? I believe they can. You know these is a whole team of experience LA Unified teachers, Teacher of the Year, principals, superintendents, directors. And I just found out that they actually won both elementary and middle the Community Schools Grant that show that they have community support.

On the second one, about is it reasonable comprehensive for this petition? To me it is and I agree with Mr. Cross and also listening to the kids. I will not penalize petitioner for calling intervention time period zero because we -- charter schools I understand that they have many -- you know, longer school days so if you call it 0 to 8, 1 to 9, it is a numbering thing.

And I also will not penalize them for gradually rolling out the climate change pathway or the seal of biliteracy procedures. Was only last week that this board voted to support the two legislative bills.

But what really helped me to determine this is not just listening to the students that just presented, but also the story of Miguel's typical day at Vista in the regional petition. The six pages describing his day. The interdisciplinary teaching and the learning at his chosen pathway, the counseling he gets, the, tutoring, everything

with assessment and self reflections it is all coming alive.

I mean, I can really walk in Miguel's shoes and see the power of engagement and it is comprehensive.

Honestly you know, a thousand pages is not going to be comprehensive depending who reads them. And that is why the law includes the word "reasonably comprehensive." And it is reasonably comprehensive.

Now on the last one which I have to sorry take a little time because it's so professionally -- honestly, personal to me, okay. Well Vista -- you know, really within the three mile radius are they duplicating a program? To me, absolutely not. Absolutely not.

And I have been around for so long, so humbly I happen to have history. What happened is right after September 11 tragedy many foundations and Asian societies all came together to create a network of schools called International Study Schools Network, ISSN. There are about 30 nationally.

And what happened is it focused on global peace, environment, health, and economy and LA Unified, bless their heart, they immediately put the international study schools in Southgate on Tweedy and paired with one international study school in Pecoima. And Avision in Pasadena we launched that guess who came? Vice President,

at that time, Vice President Biden came to Southgate. And the premier of China, Xi Jinping came to Southgate.

It was quite an event. Now a few years later
Vista joined the ISSN along with ambassador schools on the
Ambassador Hotel Site, another tragedy, we lost our
senator. But unfortunately the ambassador site withdrew
and only stayed with IP and dual language.

Yet meanwhile again -- you know, to LA Unified's credit they know they need to feed the pattern. \$40 million they spent and they built the International Studies Middle School right on Tweedy, right next to the high school. Took them ten years. They opened this three months before COVID, only they reason 2019.

Superintendent Buener and Vice President Jackie Colbert, they were there. They spoke on the positive impact of this globalized program and the need for feeding pattern.

So in the 15 years I said that I have witnessed -- a student just spoke -- I have witnessed students that discussed with ambassadors that came to LA. They talk about world hunger, human trafficking, child labor and poverty, gender equity and all the issues of our international world. And they actually -- you know, join Habitat for Humanity build houses in rural areas in home state abroad in sister schools and they are graduates.

Graduates now working new UNESCO, world rank, refugee camps, journalist in conflict zones and they organize LGBTQ communities in very conservative regions. So global competence, respect for all cultures, ability to see perspective became a disposition and a habit of mind and there is no other school like that.

So to sum up I'm sorry I cannot see the kids face nor their parents. I absolutely cannot deny and I will not deny these students. I will not deny the their access to such a unique program and the high school they have been waiting for 10 years.

And I know unfortunately, they need a license to dream. All their dreams in creating a hopeful, just, peaceful and thriving world the charter is a license. So I will want to give them this license. And I am confident that our LACOE staff have the knowledge and skills and passion too to embrace these kids. So when it's appropriate I would like to motion to approve this charter with technical amendment.

Thank you.

PRESIDENT CROSS: Thank you, Dr. Chan.

Mr. Dutton, any introspection.

MR. DUTTON: Yes. Thank you, Dr. Chan, for your words and your perspective.

Mine happen to be a little bit different, but I

understand from which you have spoken and from which you have come. And you and I share a lot of the same time and history in different directions.

I understand the recommendations the staff has made I understand that there is with the formation of any charter school going to be some impact not only in the immediate community, but in the greater community in the district from which these kids would be coming from should another school be started.

In addition to that, there are some regulations and some requirements that are supposed to be met in the process of creating a school that staff has shown us has not been met and there are some things to be considered very carefully.

I appreciate and respect a great deal of presentation made by the school, staff and by the members of the community representing the school and the petition, but I have to stand on the side of staff recommendation.

Thank you.

PRESIDENT CROSS: Thank you, Mr. Dutton.

Ms. Forrester, you have comments? Discussion?
MS. FORRESTER: Oh, yeah.

As a board member, I just want to state I just want it stated that I have a tremendous amount of respect and I've stated this before for the dozens of non

- 1 political experts on our staff and on the LAUSD staff. 2 Now that may come as a surprise from some LAUSD people. But I do respect the work they do. They are experts in 3 their fields. 4 And I resent Vista's comments about our staff 5 6 misunderstanding some of their petition or the incompleteness or unfair statements that were made. 7 So I'm just going to say that I do believe that 8 9 as board members we are not experts in every area, but we have gathered some of the best people in the county and 10 they are here with their recommendations. I also have a 11 12 lot of respect for the LAUSD Board of Education and they know their communities. And they know their students and 13 14 they know the educational programs. And they have denied 15 this petition also. I stand in respect for the California Teachers 16 Association who's also weighing in on this. We don't 17 often hear from them in their positions, but Vista is a 18 statewide charter organization and I think that their 19 20 opinion should be counted for us. In the public interest 21 is not an organization that should also be overlooked in
- 23 and the statements we heard.
 24 I don't think that there are small reasons for

this denial. And in all due respect to other board

there in the letter that we received from their position

22

25

members, I think the fiscal is extremely important. And I am extremely concerned about the fiscal stability of this school.

I don't think it is -- I don't think our staff are finding reasons to deny if they say there is fiscal questions here. I think that some Vista schools may be working. We are only looking at this application in this school. And this application and this school does not stand the test that I think that any reasonable educator should put to this.

The community over saturation to me is a huge issue. I believe in parent choice and I believe that parents should have options for their students, but I also believe that this community has many options already. And it is not inconceivable and I think we do have to take into account the fact that -- the fact that there are other schools -- that there are a finite number of schools now. And there are many schools in that area that offer the exact or extremely close to these kinds of programs.

And I believe that if parents really want to go to a Vista school there are other Vista schools that parents can send their children to. There are Vista schools available, just not in this community.

Everyone who comes before this board has passion. And they say their school is unique and necessary. I

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think that we as board members have to see beyond that and have to take our responsibility seriously. It's not just what we want to believe, but what they actually prove to us. So my position will be to deny.

Thank you.

PRESIDENT CROSS: Thank you, Ms. Forrester.

Dr. Johnson, do you have any questions or discussion?

MR. JOHNSON: No, I'm ready to vote.

And I think Dr. Chan provided my sentiments and I would support a motion with technical assistance to

support Vista.

Thank you.

PRESIDENT CROSS: Thank you, Dr. Johnson.

Dr. Perez, do you have any discussions?

MR. PEREZ: Yes, Mr. Cross.

Hearing all aspects and taking into account the history of this stuff which is proven to be in their other locations successful at least commensurate to surrounding schools and beyond, my main concern is finances. And I think Ms. Forrester brings up a good point with regard to the staff's review of finances.

I overheard a \$400,000 deficit first year a lot of it has to do with enrollment. They seem to be a bit ambitious. However, I know there is a pipeline. So my

Τ	concern is on the finances so I am poised to hear any kind
2	of an amendment that can help address that issue as well.
3	That's it.
4	PRESIDENT CROSS: Thank you, Dr. Perez.
5	We are now going to move on to a vote of the
6	yeah, we are going to move on to a roll call vote of the
7	amendment of the motion to adopt the Superintendant's
8	recommendation to deny the charter for Vista Legacy Global
9	Academy, Grades 9-12.
10	Just a reminder, a yes vote denies the
11	recommendation of the Superintendant. And a no vote
12	approves the recommendation of the Superintendent.
13	MR. DUTTON: No. That is in reverse.
14	PRESIDENT CROSS: Opposite. Excuse me.
15	A yes vote approves
16	MR. DUTTON: The recommendation
17	PRESIDENT CROSS: I am sorry. The recommendation, a
18	no vote denies the recommendation.
19	MR. DUTTON: Correct.
20	PRESIDENT CROSS: We will now have a roll call vote.
21	VICE PRESIDENT CHAN: Is it appropriate to have a
22	substitute or an amended motion based on Dr. Perez's
23	question?
24	PRESIDENT CROSS: No.
25	MR. DUTTON: Not until we vote in the motion.

1	VICE PRESIDENT CHAN: Okay. So yes meaning to deny.
2	No meaning not to deny.
3	MR. DUTTON: Correct.
4	VICE PRESIDENT CHAN: Okay. So cannot be amended to
5	say with conditions or with technical amendments.
6	MR. DUTTON: No, the original motion was to accept the
7	recommendation.
8	PRESIDENT CROSS: We will we
9	MR. DUTTON: Which I am not changing
10	PRESIDENT CROSS: We have occasionally in the past
11	asked the staff to work with the Charter to correct
12	certain deficiencies.
13	VICE PRESIDENT CHAN: I understand that too. And I
14	know that it has been done. I am looking at you know,
15	when you have clean other findings in a net asset of nine
16	million that seems to be ways back
17	MS. FORRESTER: I think in the middle of a vote we
18	can't have any more discussion.
19	PRESIDENT CROSS: Yeah.
20	Dr. Chan, we are going to move on to the vote.
21	So again, as a reminder a yes vote approves the
22	Superintendent's recommendation. And a no vote denies the
23	Superintendant's recommendation.
24	Ms. Abdo.
25	MS. ABDO: Yes.

1	PRESIDENT CROSS: Dr. Chan.
2	VICE PRESIDENT CHAN: No.
3	PRESIDENT CROSS: Mr. Dutton.
4	MR. DUTTON: Yes.
5	PRESIDENT CROSS: Ms. Forrester.
6	MS. FORRESTER: Yes.
7	PRESIDENT CROSS: Dr. Johnson.
8	MR. JOHNSON: No.
9	PRESIDENT CROSS: Dr. Perez.
10	MR. PEREZ: Yes.
11	PRESIDENT CROSS: And the chair votes no.
12	So the recommendation to deny the Charter was
13	approved.
14	(End of audio recording)
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1	REPORTER'S CERTIFICATION
2	
3	I, Hanna Jenkin, the undersigned, do hereby
4	certify:
5	That the foregoing transcript of electronically
6	recorded proceedings designated as County Board Meeting -
7	March 14, 2023 were taken down by me thereafter
8	transcribed into typewriting my direction and supervision.
9	I hereby certify that the foregoing transcript of
10	electronically recorded proceedings is a full, true, and
11	correct transcript to the best of my ability.
12	I further certify I am neither financially
13	interested in the action nor a relative or employee of any
14	attorney or party to this action.
15	In witness thereof, I have this date subscribed.
16	han Im
17	Hanna Jenkin
18	Dated: March 27, 2023
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20	
21	
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23	
24	
25	

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worth 37:17	
wow 23:11	

CERTIFICATION OF THE ADMINISTRATIVE RECORD

I hereby certify, to the best of my knowledge, that the documents constitute a true, full, and correct copy of the Administrative Record of the proceedings held before the Los Angeles County Board of Education regarding Vista Legacy Global Academy, Grades 9-12.

Dated March 30, 2023 at Downey, California.

Beatrice Robles,

Principal Executive Assistant Office of the County Board

Beatrice Robles

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From: Robles Beatrice

Cc: <u>Duardo Debra; Poulin Maria; Andrade Vibiana; Ciccarelli Indra; McCulloch Duncan; Robles Beatrice;</u>

Bartolo Michelle; Marquez Darlene; Esqueda Daisy

Subject: FW: Letter to Board re: Vista Legacy Charter

Date: Tuesday, March 14, 2023 12:04:36 PM

Attachments: ITPL letter re Vista Legacy Charter Petition.pdf

Dear Board Members:

Below is an email received for the County Board. Thank you.

Best,

Bea

From: Clare Crawford <ccrawford@inthepublicinterest.org>

Sent: Tuesday, March 14, 2023 11:02 AM

To: Robles_Beatrice <Robles_Beatrice@lacoe.edu> **Subject:** Letter to Board re: Vista Legacy Charter

You don't often get email from ccrawford@inthepublicinterest.org. Learn why this is important

Good Morning -

Attached please find a letter to the Los Angeles County Board of Education in support of the Superintendent's Recommendation to Deny the Charter for *Vista Legacy Global Academy*, *Grades 9-12*. This is Item VII.A on the agenda for today's meeting.

Thank you.

Clare Crawford Senior Policy Advisor In The Public Interest (619)300-3304

www.inthepublicinterest.org

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March 13, 2023

Los Angeles County Board of Education 9300 Imperial Highway Downey, California 90242

RE: March 14, 2023 Board Meeting Agenda Item VII.A

Adopt Superintendent's Recommendation to Deny the Charter for

Vista Legacy Global Academy, Grades 9-12

Board Members:

I am writing in support of the Superintendent's Recommendation to Deny the Charter for the Vista Legacy Global Academy, and to uphold the decision of the Los Angeles Unified School District (LAUSD) Board to deny this petition. LAUSD's staff report and their Board's adopted findings in support of denial are consistent with the LACOE Superintendent's recommendation to deny based on facts that support findings that: (1) the petitioners are demonstrably unlikely to successfully implement the programs set forth in the petition; (2) the petition does not contain reasonably comprehensive descriptions of the 15 required charter elements; and (3) the charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.

The petitioners are demonstrably unlikely to successfully implement the programs set forth in the petition.

Both LAUSD and LACOE staff document in great detail the challenges that the petitioners have in successfully implementing their program. LACOE staff clearly demonstrate the financial instability that would result from the charter's inability to meet its enrollment goals, which appears likely based on the documented under-enrollment of other area charter and district schools.

Among the issues raised is the capacity of the Charter Management Organization (CMO), given they have recently expanded and are already seeing the negative impacts of the challenges of managing this expansion effectively. Both LACOE and LAUSD staff point out that the academic outcomes for schools managed by Vista Charter Public Schools (VCPS) are not superior to the outcomes of other area schools, and that one of their schools in Orange County was identified as Low Performing by the California Department of Education based on academic outcomes. Were it not for a state mandated extension of charter terms, this school would likely be non-renewed. VCPS attempts to counter academic data provided by LACOE and LAUSD by providing a comparison for the VCPS Los Angeles middle school (Vista Charter Middle) to three area LAUSD middle schools (John H. Liechty, Sal Castro and Joseph Le Conte Middle) with similar student populations, claiming to outperform these schools. However, the most 1301 Franklin Street, Suite 501, Oakland, CA 94612

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recent dashboard data for 2022 shows that all three of these schools have a higher percentage of English Learner students making progress towards English language proficiency, two of the three comparison schools outperform Vista Charter Middle in Math, and two of the three comparison schools perform either the same or better in English Language Arts.

(2) the petition does not contain reasonably comprehensive descriptions of the 15 required charter elements.

Both the LAUSD and LACOE staff document extensive deficiencies in the descriptions of the 15 required charter elements. The petitioner attempts to counter these issues in their responses primarily by claiming that LAUSD should have contacted them in advance to allow them to correct the petition (this is not a part of the state outlined charter petition process) and claiming that the authorizers cannot make a finding that the educational program proposed is sound while at the same time making this separate finding. Nothing in the California Education Code precludes the authorizer from making one finding without the other, and the findings address different aspects of the charter petition.

(3) the charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.

AB1505, the State Legislature's amendments to the Charter Schools Act, allows Districts and Counties to consider the fiscal and community impacts that potential charter schools will have on the district as a whole, on the surrounding schools and community, and on other students in the district. The provisions were put in place so that authorizers could, for the first time, take into consideration negative consequences that could result from the opening of a new charter school to students that will not attend the proposed charter school.

The petitioners argue that a new charter school of 500 students could not possibly have a fiscal impact on a district as large as LAUSD. They argue that, if authorizers are allowed to take into consideration declining enrollment in surrounding schools and in the district, that would be a de facto moratorium on new charter schools. This is a fundamental misinterpretation of the law. If one followed the interpretation of the petitioners, LAUSD would be precluded from any fiscal analysis under Education Code section 47605(c)(7) simply due to the size of the district. Both the LACOE and LAUSD staff reports, conducting a fiscal analysis of the *local area* as well as the district as a whole, demonstrate clearly that the opening of this charter school will result in reduction in services and staff in surrounding schools, including the possibility that another school could be shut down as a result. A district already struggling with declining enrollment will have those negative impact exacerbated by the opening of a charter school, and the LACOE and LAUSD staff both document the extent of that impact and that it will be significant enough to find that opening the school is not in the interest of the entire community in which it is proposing to locate.

Secondly, both LAUSD and LACOE correctly identified that the proposed charter plans to include programs that are duplicative of programs already available in surrounding schools, and which have available space for additional students. The petitioners attempt to argue that because these programs are not an exact replica of the entire program they propose to offer, they are not duplicative, and therefore cannot be considered. This interpretation of AB1505 is incorrect. AB1505 includes provisions regarding an analysis of duplication of programs as a component of protecting the interests of existing

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students in programs already offered by other public schools. The focus of this analysis is primarily to assess the risk of creating a duplicative program on an already existing program and the students in that program. Both LACOE and LAUSD also make the point that these negative consequences would be made for the sake of opening a school that, in fact, does not provide superior academic outcomes to what is already on offer in the local community.

The negative impacts to local schools and programs that both LAUSD and LACOE staff enumerate, and that the legislature empowers the Los Angeles County Board of Education to consider is not a fiscal impact to a bureaucracy. It is a fiscal impact to students in LAUSD, and the students that are hurt the most are the students with the greatest need for support. I urge the Board to uphold the decision of LAUSD and deny the Vista Legacy Global Academy petition.

Sincerely,

Clare C. Crawford Senior Policy Advisor

Ola C. all

ccrawford@inthepublicinterest.org

accs-aug23item01 Attachment 4 Page 149 of 201

From: Robles_Beatrice

Cc: <u>Duardo Debra; Poulin Maria; Andrade Vibiana; Ciccarelli Indra; Sanchez Lila; Robles Beatrice;</u>

Bartolo Michelle; Marquez Darlene; Esqueda Daisy

Subject: FW: LACOE Board Meeting Concerns: Vista Legacy Global Academy

Date: Monday, March 13, 2023 8:53:23 AM Attachments: CCSA Letter Vista LACOE.pdf

Dear Board Members:

Below is an email received for the County Board. Thank you.

Best,

Bea

From: Keith Dell'Aquila <kdellaquila@ccsa.org>

Sent: Sunday, March 12, 2023 9:10 PM

To: Cross_James <Cross_James@lacoe.edu>; Chan_Yvonne <Chan_Yvonne@lacoe.edu>; Forrester_Betty <Forrester_Betty@lacoe.edu>; Abdo_Judy <Abdo_Judy@lacoe.edu>; Dutton_RMichael <Dutton_RMichael@lacoe.edu>; Perez_Monte <Perez_Monte@lacoe.edu>; Johnson_Stanley <Johnson_Stanley@lacoe.edu>

Cc: Duardo_Debra <Duardo_Debra@lacoe.edu>; Ciccarelli_Indra <Ciccarelli_Indra@lacoe.edu> **Subject:** LACOE Board Meeting Concerns: Vista Legacy Global Academy

Dear Board President Cross and Members of the LA County Board of Education,

I write with significant concerns with staff's recommendation to deny the petition for Vista Legacy Global Academy and urge the Board to reject the findings and approve the petition. The proposed findings of fact are deficient and do not support a denial in a variety of ways, as briefly addressed in the attached letter.

While I ask you to review the letter in full, I wish to highlight a few essential points:

- 1. The Board's actions with regard to this petition have the potential to set a detrimental precedent for relying on speculation and conjecture, rather than facts, to limit high quality public school options for students and families in Los Angeles County.
- 2. The findings published are based on speculation rather than facts specific to the Vista petition and are not substantiated with rigorous evidence. The findings ignore the Vista founding team's long track record of successful academic and operational achievement of schools in both Los Angeles and Orange County that is easily verifiable. In fact, existing Vista schools all score between the 70th and 90th percentile of schools statewide

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when accounting for the students they serve.

3. The findings misapply criteria in alleging that the charter school is demonstrably unlikely to serve the interests of the entire community, particularly when alleging that the founding of Vista would lead to the closure of LAUSD schools and that the Vista program would duplicate existing schools. The proposed program is distinct from other options from the community.

Charter schools serve more than 165,000 students in LA County, and our communities rely on the County for strong authorizing and oversight of our schools. The rigorous, objective, and thoughtful approach that is a hallmark of LACOE charter oversight is missing from these findings, which set a dangerous precedent for the assessment of all charter schools.

We urge you to reject these findings and to approve the petition for Vista Legacy Global Academy.

Keith Dell'Aquila

he/him/his (learn more here)
Vice President, Greater Los Angeles, Local Advocacy
California Charter Schools Association
Mobile: 213-864-6310 | www.ccsa.org

Register today for the <u>2023 California Charter Schools Conference</u>, March 13-16 in Sacramento. Inspiration, connection and learning await!

CAUTION: This email originated from outside of LACOE. Please do not click links or open attachments unless you recognize the sender and expected the message.

1107 9th Street, Suite 200 | Sacramento, CA 95814 p 916-448-0995 | f 916-448-0998 | www.ccsa.org

arch 10, 2023

Via Email

ames Cross President, Board of Trustees os Angeles County Board of Education 9300 Imperial Highway Downey, CA 90242

Re: Appeal of Proposed New Charter Petition for Vista Legacy Global Academy

Dear President Cross and Members of the Los Angeles County Board of Education:

I am writing on behalf of the California Charter Schools Association ("CCSA") in support of the new charter petition for Vista Legacy Global Academy ("Vista") presented to the Los Angeles County Board of Education ("Board"). As you may know, CCSA is a statewide, membership-based nonprofit organization that supports high quality charter schools and advocates for the lawful and equitable treatment of charter schools and the families they serve.

CCSA is disappointed by staff's recommendation for denial and urges the Board to approve the **petition**. The proposed findings of fact are deficient and do not support a denial in a variety of ways, as briefly addressed below.

Since LACOE has not considered many appeals of new petitions under Assembly Bill ("AB") 1505, it is crucial that the Board ensure that staff complies with the law, including presenting adequate and legally justified findings before a vote for denial. The Board's actions with regard to this petition have the potential to set a detrimental precedent for relying on speculation and conjecture, rather than facts, to limit high quality public school options for students and families in Los Angeles County.

Although AB 1505 marked the first major change to the Charter Schools Act since its inception, this new law did not change the overarching statutory scheme of Education Code section 47605¹

¹ All statutory citations herein are to the Education Code, unless otherwise noted.

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which directs that the establishment of charter schools should be encouraged. The law remains that:

the chartering authority shall be guided by the intent of the egislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The governing board of the school district shall consider the academic needs of the pupils the school proposes to serve. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition... (Section 47605(c), emphasis added.)

With this Legislative intent at the top of your minds, we ask that you reject staff's deficient findings and vote to approve the petition. Below is a summary of some of the deficiencies:

1. Staff Findings Are Based on Speculation Rather than Facts Specific to the Vista Petition — There is No Evidence that Vista is "Demonstrably Unlikely" to be Successful.

Staff relies on 5 CCR 11967.1 (c), a regulation that only applies to the State Board of Education, when evaluating whether the petitioners are demonstrably unlikely to successfully implement the petition. This regulation considers four factors to take into consideration – the petitioners' past history of involvement in charter schools, the petitioners' familiarity with the petition or the legal requirements for the charter school, the financial and operational plan, and the petitioners' background in areas crucial to the charter's success. Staff completely ignores the first element even though there is significant evidence to be considered under this factor. In fact, the petitioners have a vast history of success operating other charter schools, with six current charter schools. These schools have strong track records of success academically. All four of Vista's schools with consecutive years of testing data score in the top 30% of schools in the state when considering their student populations as measured by CCSA's Similar Students Metric. And, the schools have strong track records of operational performance under their authorizers, including on LAUSD's rigorous oversight rubric. In fact, there is no mention of the petitioners' track record in the staff report at all. Staff's assessment of Vista's performance relies solely upon a single year of academic data, comparing the performance of students to one other LAUSD school that serves a vastly different student population.

2. Staff Misapplies New Criteria Set Forth in Section 47605(c)(7) and Relies on Speculation when Finding the Charter School is Demonstrably Unlikely to Serve the terests of the Entire Community.

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AB 1505 created new factors to be considered by authorizers when reviewing a petition, to ensure that a charter school is likely to serve the interests of the community they are proposing to serve. 47605(c)(7) provides two factors to consider in this analysis:

- (A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.
- (B) Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

Under the first factor, staff findings are entirely speculative. In fact, Los Angeles Unified School District ("LAUSD") findings concluded that the fiscal impact of this school would not result in closure but instead potentially losing a total cost of two teachers in the district. However, staff findings here focus on current under-enrollment at LAUSD schools and assume that LAUSD would have to close schools if this petition is approved. There are no facts that prove that schools would have to close solely because the Vista petition is approved, purely a speculative conclusion by staff that that would be the case.

Further, staff misapplies the criteria when determining whether the charter would duplicate a program currently offered within the school district. When determining whether the program is duplicative, staff points to three different schools that offer one single aspect of Vista's proposed program. A student would be unable to attend all three schools at once, whereas the Vista program would allow the student the benefit of all those programs in one, providing that Vista does not "duplicate" a single program in the District.

Furthermore, staff cited the Los Angeles Academy of Arts and Enterprise ("LAAAE") charter school as offering a duplicative program. The leadership of LAAAE disputes this, verifying that "there are meaningful distinctions between the college and career pathways described in the Vista Legacy Global Academy petition and those offered at LAAAE. Together, both programs complement one another to provide distinct choices for students and families."

For the foregoing reasons, we ask that you approve the Vista charter petition. If you have any questions, please do not hesitate to reach out to me directly.

Sincerely,

RICARDO . SOTO

General Counsel and Chief Advocacy Officer

California Charter School Association

cc: Los Angeles County Board of Education Members

accs-aug23item01 Attachment 4 Page 154 of 201

From: Robles Beatrice

Cc: Robles Beatrice; Duardo Debra; Poulin Maria; Andrade Vibiana; Ciccarelli Indra; Bartolo Michelle;

Marquez Darlene; Esqueda Daisy
CALLS IN SUPPORT OF VISTA LEGACY

Subject: CALLS IN SUPPORT OF VISTA LEGACY Date: Tuesday, March 14, 2023 2:37:17 PM

Attachments: image001.png

Hello:

The following calls were received by the Board office today related to the Charter petition for Vista Legacy:

- 11:15 a.m. Ms. Giselle Soto Calling to support the petition for Vista Legacy did not leave number
- 12:19 p.m. Ms. Nicole Siquieros Would like to encourage and participate in the petition for Vista Legacy 323 362-3375.
- 12:30 p.m. Beatriz Lovera Calling to ask that the County Board authorize Vista Legacy. My son attends the middle school and he feels good and comfortable with school. Mental health challenges are being addressed for the school. I have also heard from other parents that kids are happy at Vista Legacy. I also think that as a parent, we need to be able to speak for our kids of where they should go to school. I want to make sure that public schools aren't placing a dollar sign to students (public schools are against charter schools because they lose funding when their enrollment decreases.) 213 989-1799

Best,

Bea

Beatrice Robles
Principal Executive Assistant
Superintendent's Office / Board Of Education Office
562.922.6128 Office
562.743.9065 Mobile
robles beatrice@lacoe.edu | lacoe.edu

Follow us on: Facebook | Twitter | Instagram



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From: Robles Beatrice

Cc: Robles Beatrice; Duardo Debra; Poulin Maria; Andrade Vibiana; Ciccarelli Indra; Sanchez Lila;

Bartolo Michelle; Marquez Darlene; Esqueda Daisy

Subject: FW: 200 Schools With Serious Concerns over Vista Findings

Date: Monday, March 13, 2023 8:51:42 AM
Attachments: LA County Collective Letter 031323.pdf

Dear Board Members:

Below is an email received for the County Board. Thank you.

Best,

Bea

From: Los Angeles Advocacy Council < leadership@laadvocacycouncil.org>

Sent: Monday, March 13, 2023 8:20 AM

To: Cross_James <Cross_James@lacoe.edu>; Chan_Yvonne <Chan_Yvonne@lacoe.edu>; Forrester_Betty <Forrester_Betty@lacoe.edu>; Abdo_Judy <Abdo_Judy@lacoe.edu>;

Dutton_RMichael < Dutton_RMichael@lacoe.edu>; Johnson_Stanley < Johnson_Stanley@lacoe.edu>;

Perez_Monte <Perez_Monte@lacoe.edu>

Cc: Duardo_Debra <Duardo_Debra@lacoe.edu>; Ciccarelli_Indra <Ciccarelli_Indra@lacoe.edu>;

Robles Beatrice < Robles Beatrice@lacoe.edu>

Subject: 200 Schools With Serious Concerns over Vista Findings

Dear Board Members of the LA County Office of Education,

We are writing to express concern over the findings regarding a petition from Vista Charter Schools that are not only faulty on the merits but, perhaps more importantly, carry broad and alarming implications for schools in LA County.

Collectively, the signers of this letter serve 100,000 students across 200 charter public schools in LA County.

We believe that earning the approval to operate a charter public school is hard, and it should be. However, while the process should be rigorous, it should also be transparent and equitable to best serve students and families.

We are concerned that the findings related to Vista are neither transparent nor equitable and could set an unnecessary and harmful precedent that impacts all of us.

Please see our attached letter detailing why we believe these findings threaten each of our schools and all of our students,

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arch 13, 2023

Dear Board Members of the LA County Office of Education,

We are writing to express concern over recent findings regarding a petition from Vista Charter Schools that are not only faulty on the merits but, perhaps more importantly, carry broad and alarming implications for schools in LA County.

Collectively, the signers of this let er serve 100,000 students across 200 charter public schools in LA County. We operate in diverse communities with expansive programming and remain united in our mission to ensure that all children attend excellent public schools.

We believe that earning the ap roval to operate a charter public school is hard, and it should be. However, while the process should be rigorous, it should also be transparent and equitable to best serve students and families. We are concerned that the findings related to Vista are neither of these and could set an unnecessary and harmful precedent that impacts all of us.

In Vista's specific case, the findings do not include any assessment of Vista's historic track record, any significant analysis of the schools' student demographics and overall academic performance and draws from only a single year's worth of data. Those facts along are, on their face, alarming. They show a cherry picked and ad hoc method of assessing Vista's performance and likelihood to succeed with a future school. We are accustomed to findings that present a more thorough and equitable assessment of academic performance and are worried about this limited and flawed methodology being applied to future petitions.

Furthermore:

- The report compares Vista to a selective-enrollment LAUSD gifted magnet program that admits students based on test scores. This is beyond comparing apples to oranges.
- The report implements relatively untested elements of AB 1505, evaluating whether the Vista program duplicates existing programming without an an lysis on the existing program's accessibility and quality. Any assessment of whether a charter school duplicates an existing program should be based on whether the existing is meaningfully similar, whether the existing program is accessible to students, and whether the existing program is clearly providing a high-quality program for students. These findings fail on all three fronts.
- The report lacks rigorous assessment of the potential financial impact of the proposed charter school, simply concluding that LAUSD may have to close schools without evidence, contrary to the findings of LAUSD's own internal reporting. Essentially,
 County staff made assumptions about LAUSD that even LAUSD's own staff did not make and provided no meaningful evidence to support the conclusion. An assertion as serious as a school closure should be backed up by rigorous evidence

This ap roach to analyzing the performance of existing schools poses significant concern for future petitions to renew schools. Authorizers should be guided by an assessment that prioritizes academic quality and equity; however, the evaluation of Vista's application did not examine student performance over time on multiple metrics, including academic growth, or consider the population of students served. Instead, the presentation pivoted away from an effective analysis, developing conclusions devoid of rigorous evidence or robust data – the minimum expectation for fair evaluation. Therefore, the Board must reject the report findings, citing a lack of rigorous analysis on academic performance and glaring lapses in data, to remain aligned with best practices for increasing equitable student outcomes.

et us be clear: **strong authorizing makes all of us bet er**. LACOE-authorized charter schools have long benefitted from the Board's steadfast leadership and staff's thorough oversight and sup ortive, caring partnership, especially during the COVID-19 pandemic. There is no question that our schools are better for our partnership with LACOE and the Charter Schools Office. Furthermore, the many signatories with schools operating under other authorizers in LA can attest to LACOE's reputation as a fair authorizer.

However, this ap lication shows an alarming pivot away from the County's historic rigorousbut-fair ap roach. We urge you to reject the staff's conclusion based on its clear faults and to set a higher standard for findings that consider a deep examination of all relevant information, upholds the law, and the protects rights of families cross Los Angeles.

We each remain a committed LACOE partner and thank you for your continued leadership.

incerely,



Ricardo Mireles Executive Director Academia Avance



Xavier Reyes
Chief Executive Officer
Alta Public Schools



Dana Hammond Chief Executive Officer Academy of Media Arts



Marcos Aguilar
Co-Founder and Executive Director
Anahuacalmecac International
University Preparatory of North
America



Pablo Villavicencio Chief Executive Officer Alliance College-Ready Public Schools



Cesar Lopez/Margret Woelke Co-Executive Directors APEX Academy/MATRIX



Aida Tatiossian

Executive Director and Principal Ararat Charter



Ari Bennett

CEO and Principal
Birmingham Community Charter High



Catherine Belcher

Executive Director
CHAMPS - Charter High School of Arts



Robert Vidaña

Executive Director City Charter Schools



Oliver Sicat

Chief Executive Officer Ednovate



Nicole Ann Duquette

Interim CEO Extera Public Schools



alin Balcom

Executive Director Arts in Action



Linda Lee/ Dr. Jake Gordon

Co-Executive Directors
California Creative Learning Academy



Erin Studer

Executive Director
CHIME Institute's Schwarzenegger
Community



Edward Morris

Executive Director
Collegiate Charter High School



atie Chau

Executive Director
El Rio Community School



David Riddick

Chief Executive Officer Fenton Charter Public Schools



Christopher Carr

Executive Director Aspire Public Schools



Adriana Abich

Chief Executive Officer
Camino Nuevo Charter Academy



Mark leger-Heine

Executive Director Citizens of the World



aren Smit

Principal
Discovery Charter Prep



Sofia Roditti

Chief Executive Officer Equitas Academy



iza Bercovici

Executive Director
Gabriella Charter Schools







Carrie Wagner

Executive Director Girls Athletic Leadership School



Brian Bauer

CEO/ Superintendent Granada Hills Charter



Parker Hudnut

Chief Executive Officer **CEF Public Schools**



aTonya Derbigny

Executive Director nvictus Leadership Academy



Stephen Bluestein

Executive Director vy Bound Academy



osh Stock

Director Lashon Academy



Ontrece Ellerbe

Executive Director Global Education Collaborative



Cristina De Jesus

Chief Executive Officer



ake Rodgers

Superintendent ngenium Schools



Nadia Shaiq

Chief Executive Officer **ISANA**



Myranda Marsh

Executive Director ames Jordan Middle



Dan Maguire

Principal ibertas College Preparatory Charter School



Chris Jones

Executive Director Goethe International Charter



Colleen Molina

Principal High Tech LA



James McGrath

Founding Director Intellectual Virtues Academy



oe Herzog

Executive Director Ivy Academia



Amy Held

Executive Director archmont Charter School



David DeFrenza

Executive Director/Principal Los Angeles Academy for Arts and Enterprise

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Rebecca Rodriguez

Executive Director
Los Angeles College Prep Academy



ose Salas

Executive Director ontague Charter Academy



Brooke Rios

Executive Director
New Los Angeles Charter Schools



Lauren O'Neill

Executive Director Odyssey Charter Schools



Pamela Magee

Executive Director/Principal Palisades Charter High



Jerome Greening

Executive Director
PUENTE Learning Center



Arina Goldring Ravin

Chief Executive Officer
Los Angeles Leadership Academy



Gayle Nadler

Executive Director ulticultural Learning Center



Mark Ryan

Superintendent North Valley Military Institute College Preparatory Academy



ynn Izakowitz

Executive Director
Our Community Charter



Drew Furedi

Chief Executive Officer
Para Los Niños Charter Middle School



Sidnie Gallegos/PK Candaux

Co-Directors Renaissance Arts Academy



Alfredo Rubalcava

Chief Executive Officer agnolia Public Schools



Richard Thomas

Principal
New Horizons Charter Academy



risty Mack Fett

Executive Director Ocean Charter



Sylvia Fajardo

Executive Director Pacoima Charter



Connie Rivas

Chief Executive Officer PUC Schools



ason Watts

Executive Director Scholarship Prep

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Jon Gundry

Chief Executive Officer
The School of Arts and Enterprise



Carolyn Yaffe

Executive Director Valley Charter



Don Wilson

Superintendent VISTA Charter Public Schools



Yvette King Berg

Executive Director YPI Charter Schools



Beatriz Gutierrez

Executive Director Soleil Academy Charter School



oreen Riley

President and CEO Value Schools



Jasmine Banks

ead of School Vox Collegiate of Los Angeles



Charla N. Austin-Harris

Executive Director earning by Design Charter



Rhonda Deomampo

CEO Synergy Academies



Fidel Ramirez

Executive Director
Vaughn Next Century Learning Center



Shawna Draxton

Executive Director WISH Charter Schools



Farnaz Golshani Flechner

Executive Director Environmental Charter Schools

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From: Robles Beatrice

Cc: Robles Beatrice; Duardo Debra; Poulin Maria; Andrade Vibiana; Ciccarelli Indra; Bartolo Michelle;

Marquez Darlene; Esqueda Daisy; Brown Darryl; Sanchez Lila; Torres Maritza; Villagra Ramona

Subject: FW: Dear Board President Cross
Date: Monday, February 27, 2023 8:40:42 AM

Attachments: Legacy LACOE Board letter Board member Cross.docx

Dear Board Members:

Below is an email received by the Office each addressed for each of the County Board Members. Thank you.

Best,

Bea

From: Don Wilson <dwilson@vistacharterps.org>

Sent: Sunday, February 26, 2023 10:09 PM **To:** Cross James < Cross James@lacoe.edu>

Cc: Karen Amaya <kamaya@vistacharterps.org>; Collin Felch <cfelch@vistacharterps.org>

Subject: Dear Board President Cross

Some people who received this message don't often get email from dwilson@vistacharterps.org. Learn why this is important

CAUTION: This email originated from outside of LACOE. Please do not click links or open attachments unless you recognize the sender and expected the message.

Don Wilson, Ed.D. Superintendent Vista Charter Public Schools 2900 W Temple St. Los Angeles, Ca 90026 Work (213) 201-4000 Cell (310) 428-0539 Fax (213) 201-586

accs-aug23item01 Attachment 4 Page 164 of 201

VISTA CHARTER PUBLIC SCHOOLS

2900 West Temple Street Los Angeles, CA 90026 T 213 201-4000 | F 213 201-5861 www.vistacharterps.org STACHAPA STALLING SCHOOL

Dr. Don Wilson, Superintendent

Dear Board Member Cross,

Thank you for the opportunity to present our petition to you. Believe it or not, we met a few years ago at the Port of Los Angeles High School. At the time I was a director for Linked Learning at LAUSD. We took a group of students on a tour of the high school, and I can honestly say that it was an experience that I still remember to this day and one that has continued to influence my beliefs about how students are best served. Thank you.

We are looking forward to our LACOE hearing for Vista Legacy Global Academy and the opportunity to get reaquatined and for you to get to know our organization better. Like you and the schools you founded, we are dedicated to transforming the lives of low-income and at-risk students by creating a strong educational community where our students will receive the skills needed to successfully compete in an ever-increasing global world.

Vista Legacy Global Academy will be the logical extension of the Vista Global Academy experience starting in TK at Vista Horizon Global Academy, moving through Vista Charter Middle School and culminating in a dual enrollment pathways high school serving the needs of our students with a strong college and carreer experience. Like all our schools, the Three pillars of a Vista Global Aacademy experience include:

- 1. Social Emotional Learning
- 2. Global Competence with the International School Studies Network, and
- 3. STEAM (Science, Tech, Engineering, Arts, and Math).

The focus on SEL provides a strong emotional foundation through our Way of Council program where students learn to speak and listen from the heart and see their own humanity in others. Global Competence provides a context for learning through an interdisciplinary project based approach that focuses on using learning to solve real world problems. STEM provides the skills and knowhow to the projects and students future careers.

Vista Charter Public Schools has been in Los Angeles since 2010 when we opened our first school. Our community has long asked us to open a high school where our culminating 8th grade students the ability to continue their Vista education.

Legacy takes the TK - 8th grade learning a step further using career pathways based in International Business, Bio-Medical studies, and our newest pathway of Climate Change Leadership, which is a collaboration with UCI and Cal State Schools. These pathways allow students yet another way to answer the question of, "Why do I need to learn this and how do my basic subject apply to real life?" Legacy has also teamed with Los Angeles Trade Tech to provide dual enrollment opportunities for our students. All of this, in addition to our mastery based approach will give our students true college and career preparation. Students following the dual enrollment pathway can actually graduate with an college Associates degree at the time of their high school graduation!

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VISTA CHARTER PUBLIC SCHOOLS

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Dr. Don Wilson, Superintendent

We thank you for the opportunity to present our school to you and seek your support in giving Vista families the TK-12 path they have longed for. I would love to meet with you for lunch or at your office if you think it would be helpful. Additionally, you are always cordially invited to visit our current schools if possible where you will receive a warm welcome.

Thank you for your support.

Warmly, Don Wilson

accs-aug23item01 Attachment 4 Page 166 of 201

From: Robles Beatrice

Cc: <u>Duardo Debra; Poulin Maria; Andrade Vibiana; Ciccarelli Indra; Sanchez Lila; Robles Beatrice;</u>

Bartolo Michelle; Marquez Darlene; Esqueda Daisy

Subject: FW: FINAL Response to findings on letterhead (4891-8174-1399.v1) (1).pdf Date: Monday, March 13, 2023 4:56:09 PM

Attachments: FINAL Response to findings on letterhead (4891-8174-1399.v1) (1).pdf

Dear Board Members, Dr. Duardo and Charter School Team,

Below/attached is an email received for the County Board and staff. Thank you.

Best,

Bea

From: Don Wilson <dwilson@vistacharterps.org>

Sent: Monday, March 13, 2023 4:50 PM

To: Robles_Beatrice <Robles_Beatrice@lacoe.edu>; Chan_Yvonne <Chan_Yvonne@lacoe.edu>; Abdo_Judy <Abdo_Judy@lacoe.edu>; Dutton_RMichael <Dutton_RMichael@lacoe.edu>; Perez_Monte <Perez_monte@lacoe.edu>; Johnson_Stanley <Johnson_Stanley@lacoe.edu>; Cross_James <Cross_James@lacoe.edu>; Forrester_Bettty@lacoe.edu

Cc: Lemmo, John C. <john.lemmo@procopio.com>; Karen Amaya <kamaya@vistacharterps.org>; Collin Felch <cfelch@vistacharterps.org>

Subject: FINAL Response to findings on letterhead (4891-8174-1399.v1) (1).pdf

Dear Beatrice,

Please provide our Response to Findings to the superintendent, the charter office, and all board members.

Thank you,

Don

CAUTION: This email originated from outside of LACOE. Please do not click links or open attachments unless you recognize the sender and expected the message.

Don Wilson, Ed.D. Superintendent Vista Charter Public Schools 2900 W Temple St. Los Angeles, Ca 90026 Work (213) 201-4000 Cell (310) 428-0539 Fax (213) 201-586

accs-aug23item01 Attachment 4 Page 167 of 201

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Dr. Don Wilson, Superintendent

March 14, 2023

Sent via email

Debra Duardo, Superintendent Board of Education Los Angeles County Office of Education 9300 Imperial Highway Downey, CA 90242

RE: Response to Los Angeles County Office of Education Staff Report and Findings for Vista Legacy Global Academy

Dear Superintendent Duardo, Board President Cross, and Members of the Los Angeles County Board of Education:

We write in response to the staff report (the "Staff Report") and findings of fact for denial (the "Findings") prepared by Los Angeles County Office of Education staff ("LACOE" or "Staff") regarding the Vista Legacy Global Academy ("VLGA" or the "Charter School") establishment charter petition ("Petition"), submitted on December 14, 2022 to the Los Angeles County Board of Education ("LACBOE") for approval upon appeal from denial by the Los Angeles Unified School District (the "District" or "LAUSD").

As described in the Petition, and addressed below, petitioners are excited to offer an innovative high school option to District students and the Vista Charter Middle School students eager to continue their education under the Vista Charter Public Schools ("Vista" or "VCPS") model. The success of Vista's program has been proven many times over. Disappointingly, the Staff Report and Findings have fundamentally misconstrued and mischaracterized VLGA's program and the Charter Schools Act itself. Education Code Section 47600, *et seq.* Staff's findings that: (1) VLGA is demonstrably unlikely to successfully implement the program set forth in the petition; (2) the Petition does not present a reasonably comprehensive description of the first three of fifteen required elements; and (3) that VLGA is demonstrably unlikely to serve the entire community, all are based on a either a misunderstanding of the law, a misunderstanding of VLGA's proposed model, or both. Not one of these three "findings" are legally valid.. VLGA appreciates this opportunity to demonstrate not only that the VLGA charter petition is entitled to approval under the Charter Schools Act ("CSA"), but that VLGA will be an asset to LACOE, the students VLGA will serve, and the community in which it will locate.

¹ Unless otherwise noted, all statutory citations are to the Education Code.

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Dr. Don Wilson, Superintendent

Overview of the Proposed Charter School

VLGA presents a unique opportunity for LACOE and Vista Charter Public Schools to provide the students of Downtown Los Angeles, MacArthur Park, and surrounding areas a high-quality, college preparatory high school option.

VLGA's unique model seeks to allow students to have power in developing their identity within personal, interpersonal and educational realms as they pursue a pathway of study in Health Science Business, or Climate Change. Instruction is shaped by our Framework for Engagement, developed by Vista's Superintendent Dr. Donald Wilson, which allows teachers to move away from the "sage on the stage" model to the "guide on the side," supporting and empowering students through personalized learning (online, in small groups and in each classroom via methods such as project-based learning) and experiences to construct their own knowledge and learning. Daily Advisory/Global Hour offers daily personalized datadriven supports and daily tutoring is offered. Each student maintains digital portfolios of their work, which is assessed in mastery learning model that enables students to have multiple opportunities and means to demonstrate their mastery of state content standards. Our comprehensive MTSS model, integrated and designated ELD, comprehensive special education program and constant differentiation by our hardworking faculty – who participate in an extensive professional development and coaching program on a daily basis in their classrooms -- ensure that every student each day is working on an individualized program of learning based on myriad data about their proficiency and growth. Students help to track themselves as they work to meet their own goals. Further, VLGA will focus on molding students who are prepared to enter the global world through our partnership with the International Study Schools Network ("ISSN") to assist students in becoming globally competent students with varied experiences and achievements in science, technology, engineering, arts, and math ("STEAM"). Through this lens, they will develop a world-consciousness and ethos that keeps the needs of humanity at the center of our students' "why" questions.

A priority for VLGA is to close the achievement gap for our target student population, historically underrepresented students. Research that drives the design for our educational program is based on conclusions for how learning best occurs for these at-risk student populations. The population of Vista schools is currently more than 95% socio-economically disadvantaged, with 49.25% English Learners, and we expect that to continue at VLGA. It is our mission to serve this group and provide them with an excellent education, preparing them for college and career opportunities they might never have dreamed possible.

Finally, as the operator of Vista Charter Middle School, we can attest that our families in this community are eager to have the opportunity to continue through high school the "Vista way." They have wanted a high school option near the middle school for more than a decade, and they enthusiastically seek to continue in our program through the high school years.

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Standard for Approval of the Charter School

In reviewing the Petition, it is vital to keep the intent of the Legislature as the primary consideration. The CSA is clear that "charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged." Further, the presumption is that charter petitions should be granted. As provided in Section 47605(c)(5), "the governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of" eight specific statutory reasons, called "findings."

The following table summarizes the eight permissible statutory bases/criteria for denial of a charter petition, stated in the affirmative for purposes of demonstrating that there is no reasonable basis for denial.

Criteria	Met/Not Met	Notes
(1) VLGA presents [a <u>sound</u>] educational program for the pupils to be enrolled in the charter school.	Met	See Elements 1-3, 6 and 10. Our research-based program will offer a rigorous, standards-aligned educational program for grades 9-12.
(2) VLGA demonstrably [is likely to successfully implement] the program set forth in the petition.	Met (Staff Findings say Not Met, based on "facts" that are either speculative or wrong, or even their own unsubstantiated preferences; correct information – already provided to LACOE Staff – demonstrate this finding is untenable.)	See Elements 1, 4-5, Tabs 2, 5, 7, 8, 10, 11, 13 to the Petition; the Founding Team has extensive, diverse experience and expertise – including founding and leading the five existing Vista charter schools and a sixth acquired school – that will support the design, development and implementation of successful new charter school.
(3) The petition contains the number of signatures required by subdivision (a).	Note: Staff "commentary" here – and below after finding the requirement has been MET – are irrelevant and beyond the requirements of the law.	See Petition Tabs 1 and 5 (teacher signatures, credentials and resumes from five teachers, well in excess of the 50% required based on Y1 enrollment of 125 students with six teachers on staff); we also have attached some parent signatures collected to date.
(4) The petition contains an affirmation of each of the conditions described in subdivision (e).	Met	See Assurances, Affirmations and Declarations (before Element I).

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(5) The petition contains reasonably comprehensive descriptions of Elements 1 through 15, as detailed in the Education Code.	Met (Staff Findings say Not Met regarding Elements 1-3, the very same content that led to their contradictory and impermissible finding above that a "reasonably sound" educational program has been presented, and erroneously claiming minor points – that could easily have been remedied had an appropriate full review taken place – warrant denial, contrary to the requirements of the law.)	See Elements 1-15.
(6) The petition contains a declaration that the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.	Met	See Assurances, Affirmations and Declarations (before Element 1) and Element 13.
 (7) The charter school is [demonstrably likely to serve the interests] of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding [for denial] under this paragraph shall detail specific facts and circumstances that analyze and consider the following factors: (A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings. (B) Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate. 	Met (Staff Findings say Not Met, based on a misapplication of this requirement such that ANY new charter would be denied based on their flawed reasoning – e.g., there is a single other school with higher test scores than each of Vista's existing schools (ignoring the fact that Vista outperforms every other school within a three mile radius of our schools), and a factually erroneous description of Vista's unique model and what currently is offered in this community.)	See narrative just below this table; Petition Tab 13 (Community Impact Assessment).
(8) The school district [is positioned] to absorb the fiscal impact of the proposed charter school. A finding that the district cannot absorb the fiscal impact of the new charter school is satisfied if it has a qualified interim certification pursuant to Section 1240 and the county	Met	LAUSD has a <u>positive</u> certification, thus (8) does not apply.[1]

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superintendent of schools, in	Education. Interim Status. Accessed
consultation with the County Office	on August 28, 2021.
Fiscal Crisis and Management	https://www.cde.ca.gov/fg/fi/ir/interi
Assistance Team, certifies that	mstatus.asp.
approving the charter school would	
result in the school district having a	
negative interim certification	
pursuant to Section 1240, has a	
negative interim certification	
pursuant to Section 1240, or is under	
state receivership. Charter schools	
proposed in a school district	
satisfying one of these conditions	
shall be subject to a rebuttable	
presumption of denial.	

Here, the Staff Report agrees that five of the eight permissible statutory bases for denial cannot be made. But Staff suggests that three of the eight permissible findings can be made:

- 1) Section 47605(c)(2): The petitioners are **demonstrably unlikely** to successfully implement the program set forth in the petition.
- 2) Section 47605(c)(5): The petition does not contain **reasonably comprehensive descriptions** of three of the fifteen required charter elements],
- 3) Section 47605(c)(7): The charter school is **demonstrably unlikely** to serve the interests of the entire community in which the school is proposing to locate A written factual finding under this paragraph **shall detail specific facts and circumstances** that analyze and consider the following factors:
 - (A) The extent to which the proposed charter school would **substantially undermine** existing services, academic offerings, or programmatic offerings.
 - (B) Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

As detailed herein, each of these purported findings is unsupported by either the correct applicable legal standard or the factual threshold. The Staff Report makes speculative and conclusory allegations – at one point even stating its own *preferences* for start-up staff, which is well beyond the proper legal scope of their review -- but fails to set forth "specific facts" citing the "particular petition" as required by law, and also ignores the legal presumption in favor of approval. Rather than actually citing to the Petition², the Staff Report lists out minutiae – even including irrelevant negative commentary within some of the five out of either potential "findings" that VLGA had met -- with none of the minutiae rising to the legal

² LACOE policy requires that charter petitioners bates-number, in order, every page of the petition and all materials submitted on appeal. Presumably, this stringent requirement is so that LACOE staff can cite with specificity to the provisions in the charter petition or materials it finds flaw with, in order to assist the LACBOE make its determinations and mandatory findings of fact should it choose to deny a petition on appeal. The LACOE staff report utterly fails to make any bates-numbered citations whatsoever, despite its numbering requirement. The complete absence of particular citations to the record speaks volumes in light of the statutory requirement for "specific findings of fact particular to the charter petition".

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threshold necessary to deny VLGA's appeal. As shown below, each of staff's findings is in error, and therefore, the VLGA petition is entitled to approval.

Moreover, the District is tasked with making its own findings to justify a denial, based upon actual specific facts. Here, the LACOE Staff Report relies entirely upon conclusions, not facts, and makes conclusory opinion statements that LAUSD's findings and denial "complied with requirements" before essentially adopting those District findings. LACOE makes those conclusions as if they were its own "findings" here in this context. LACOE cannot rely on flawed conclusions of a different agency to support a denial of an exciting opportunity to provide Los Angeles students the benefit of a proven and successful program.

I. Finding 2: Far from being "demonstrably unlikely" to implement the described program, the Staff Report properly concludes that VLGA's Petition presents a "sound educational program"; VLGA's accomplished team has a strong likelihood of success.

LACOE has adopted the State Board of Education's ("SBE") criteria for review and approval of Charter School petitions that come to it on appeal, which can be found at Title 5, California Code of Regulations ("CCR") Section 11967.5.1. These regulations elaborate on what it means for a charter petitioner to be "demonstrably unlikely to successfully implement the program" as required for denial under Section 47605(c)(2).

The first consideration – which the Staff Report implicitly acknowledges is not at issue here -- is whether the petitioners have a past history of involvement in failed charter schools. Not only is that far from that being the case, Vista has more than 13 years of demonstrated success in operating public charter schools in LAUSD and Orange County, starting with its first charter school, Vista Charter Middle School, in 2010. Since that time, it has established four additional charter schools and assumed operation of another, bringing the total number of charter schools under the VCPS umbrella to six. Two have been approved by and operate within the boundaries of LAUSD. Four operate within Orange County. All six schools are successful, two of which been renewed by unanimous vote every five years as necessary under the CSA. LAUSD conducts an intensive two-day annual oversight visit of each of its charter schools, issuing a detailed report of its findings. LAUSD awarded VCMS the highest possible rating in every metric on its most recent annual oversight visit report, dated May 5, 2022.³ This report included commentary such as:

O3: IMPLEMENTATION OF THE EDUCATIONAL PROGRAM The school has fully implemented the educational program, including key features, outlined in the school's charter and aligned to California State Content Standards specific to the grade levels served. Some examples include • Implementing standards-based instruction schoolwide in accordance with the California State Content Standards specific to the grade levels served and aligned with the needs of students

³ VCMS also has voluntarily sought and received a full six-year accreditation from the Western Association of Schools and Colleges WASC and our second middle school in Orange County is similarly WASC-accredited, thus our staff is well-positioned to ensure our high schools receive the same high level of accreditation.

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- o Documentation reflected school using data to inform small group and individualized instruction. . . .
- o The school provided Road maps that identified the main standard claims and units being taught throughout the year across content areas.
- o Planning documentation reflected beginning stages of including ISSN global competencies into planning documents. PD materials staff trained and supported with global competency planning.
- o While the teachers are guided by curriculum materials, the school administration has structures in place to monitor school wide priorities and strategies to meet student needs. For example, **teachers use Kagan structures schoolwide and Grade levels plan together**.
- Providing professional development specific to supporting desired student outcomes and key features outlined in the school's charter:
 - o The school provided PD mat[eri]als that supported implementation of writing workshops and Kagan strategies.
 - o An identified focus area includes education for Global Competence [with the] International School Studies Network (ISSN) through conferences and with consultants. .

. .

- o Coffee with Principal materials provided updates on features offered for key elements of the charter. . . .
- O4: MEETING THE NEEDS OF ALL STUDENTS; SUBGROUP DATA ANALYSIS The school has fully implemented and monitors the components of the charter's instructional program designed to meet the learning needs of all students, including its subgroups, and modifies instruction based on data analysis as noted in the following examples:
- Implementation of differentiated instructional strategies and approaches described in the charter designed to meet the learning needs of all students, including all numerically significant subgroups
 - o School continues to utilize Kagan strategies. Professional Development (P.D.) materials reflected support to staff throughout the year, including coaching.
 - o School leader shared several other **examples of differentiation: Small group and one- on-one instruction, Push in RSP services to support SWDs in the general education setting, schoolwide use of Running Records to identify individual reading levels and targeted instruction to move students up levels, workshop mini-lesson, and provide sufficient time for one-on-one conferring**
 - o School leaders shared **students can receive intervention in the following ways:** Students are identified and placed in pull-out groups. TAs pull students for targeted skills-based support. TAs have access to the iReady toolkit which groups student based on diagnostic results and provides skill-based lessons necessary for students to access content learning.
- Implementation of internal student assessments aligned with instructional outcomes to determine student mastery of California State Content Standards

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o The Principal Report in Vista Board agendas included sharing results of internal assessments. Coffee with the principal also shared results of internal assessments.

(LAUSD Annual Performance-Based Oversight Visit Report for Vista Charter Middle School, May 5, 2022, pp. 27-28, emphasis added.)

The Orange County Department of Education similarly has praised our program publicly at the Board level, as well as at the Division of Charter School Oversight where they have given us the highest possible evaluations eight years in a row. Vista has added additional support such as Intervention Coordinators at each of our school sites, additional counseling staff, and other supports. We also have expanded Vista's home office, including adding our new Assistant Superintendent, Director of Special Education and Pupil Services, and Chief Information Officer. We plan to add additional central office staff and site-based staff as we continue to grow. Most importantly, these six schools positively impact the lives of the more than 1500 students they serve, providing students in Los Angeles and Orange Counties from grades TK through 12 with a quality, innovative, and tuition-free public education.

The Staff Report fails to present a single fact to support its conclusion that petitioners are "unfamiliar" with the petition or charter school laws.

The Staff Report relies on another consideration under 5 CCR 11967.5.1 for this "finding": whether the petitioners are "unfamiliar" with the petition itself or the requirements of charter school laws. The sole "factual" basis the Staff Report includes for this finding is as follows:

None of the current charters operated by Vista met any of the local indicators in the 2021-22 dashboard. During the capacity interview, the Assistant Superintendent indicated that while the qualifying data was approved by the Vista board in June 2022, this data was not submitted to the state before the appropriate deadline, and therefore appears on the dashboard as unmet. (Staff Report, p. 3.)

In other words, a one-time clerical error caused a reporting issue for all of Vista's schools. This is hardly an indication that Vista's leadership is unfamiliar with the contents of the VLGA petition or the requirements of charter school laws! The weakness of this "finding" is evidenced by the fact that the Staff Report provides no further elaboration or commentary on this point.

This is not a valid basis for denial of the petition. *It would indeed be a prejudicial error, an abuse of discretion, if the Board were to rely upon this finding to support denial of the charter.*

The Staff Report also fails to present any facts that indicate that the budget presented with the Petition is "unrealistic."

In an alternative theory to support this "finding," the Staff Report next spills a great deal of ink discussing VLGA's proposed budget, attempting to conclude that Vista's experienced leadership and back-office services provider present a budget that is "unrealistic." But the Staff Report fails to identify a single

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<u>fact</u> to support this speculative conclusion (notice that the word "if ..." is used repeatedly), and thus it is legally invalid. For example, the Staff Report indicates that different staffing plans for a start-up charter school are preferred – but not required – by LACOE staff, based on some unspecified "expertise." Apparently Staff prefer a 100% full-time equivalent (FTE) Principal and *zero* Assistant Principal for Year 1, while we will have a FTE Principal⁴ <u>and</u> a part-time Assistant Principal. Staff apparently prefer a 100% FTE SpEd Coordinator in Year 1, without any regard for whether our home office has special education support for our schools or whether a full-time SpEd Coordinator is a reasonably expense with just 125 high school students in Year 1. Staff also prefer a 100% FTE College & Career Counselor in Y1, even though we will have just 125 9th graders that year and thus planned on a part-time counselor. In any event, *not one* of these preferences is a requirement, nor is this discussion of our staffing a valid "factual" support for this finding.

Similarly, LACOE Staff confusingly mischaracterize VCPS' governance structure as a detriment to our financial viability, a statement that is directly contradicted by the very financial documents they quote, demonstrating Vista's strong and stable finances and clean audits. Vista operates its six charter schools with a single Board of Directors and is in compliance with all California charter school laws and financial requirements. Our network structure is not dissimilar from a school district structure, and its exceedingly common among California charter school networks. There is nothing illegal or improper about this commonplace structure. Indeed, LACOE and LAUSD have both regularly approved charter petitions for schools operating in multi-school networks with one Board of Directors over the years, without any concern. LACOE has authorized several charter schools with the very same single board structure (Green Dot California, Magnolia, Environmental Charter, Aspire). Further, our other authorizers have actually insisted upon this commonplace structure. Far from being a detriment, Vista's structure is an asset and a key to success. VCPS does not have a "CMO contract" with each of its schools because it cannot contract with itself. The Vista system works because it is full of experienced educators and charter school experts, all willing to help any and every school succeed. Further, the Vista "home office" can provide administrative help to every school without the need for duplicating staff or resorting to contracting with outsiders who are unfamiliar with the Vista educational program. LACOE cannot now use this commonplace organizational structure as an excuse to deny the VLGA Petition.

Neither of these two purported "facts" supports a conclusion that VLGA "presented an unrealistic financial and operational plan \dots (B) \dots [where] the charter and supporting documents do not adequately present a budget that in its totality appears viable over a period of no less than two years \dots " (Staff Report, p.4, citing 5 CCR 11967.51(c)(3).) It would indeed be a prejudicial error, an abuse of discretion, if the Board were to rely upon this finding to support denial of the charter.

The Staff Report goes on to cite the same law, subsection (D) "In the area of facilities, the charter and supporting documents do not adequately . . . describe the types and potential location of facilities."

⁴ At the time of our Petition submission in August 2022, we projected a part-time Principal in the budget, assuming our existing middle school principal could assume the role for Y1. As we stated in our response to LAUSD's findings however, surplus funding from the pandemic has now made it possible for us to project a full-time principal from day one. Vista Response to LAUSD indings, 11/14/22, p. 11, fn 11. We have not been offered the opportunity to revise or update our budget but would be happy to do so.

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(Id., p. 5, citing 5 CCR 11967.51(c)(3).) Once again, the Staff Report's discussion fails to identify a single fact in support of this conclusion, noting instead that VLGA did describe a private facility option at VCMS.⁵ Instead, this conclusion appears to be based on the fact that VLGA also applied for a Prop 39 facility from LAUSD, as is its legal right. It is important to note that VLGA has not actually received a Prop 39 offer from LAUSD because our charter is not yet approved. Even though the Petition is found to describe the location with legal sufficiency, the fact is that VLGA's facilities are not completely settled, and basing a finding for denial upon this as-yet-determined choice is counter to logic and law.

Again, this is not a legally valid basis for denial of a petition. *It would indeed be a prejudicial error,* an abuse of discretion, if the Board were to rely upon this finding to support denial of the charter.

Instead of finding any evidence of deficiency in our facilities description, the Staff Report instead makes much of the fact that LAUSD - not Vista - reduced our planned enrollment from 125 to 89.3 students in Year 1 for purposes of allocating Prop 39 facilities to VLGA. Vista has never intended to enroll only 89.3 students nor has it ever indicated this. LAUSD's controversial and contested methods of reducing charter schools' actual student enrollment projections for purposes of Prop 39 are notorious, and well beyond our discussion here. In any event, LAUSD' Facilities Division's revision of our head count is not a valid "fact" to support Finding 2. Strangely, the Staff Report notes that only 30% of Vista's middle school students in Orange County decided not to matriculate to our new high school, while an impressive 70% of our graduating 8th graders did enroll in the new high school (though they oddly characterize this as a negative). An additional 9 students from the surrounding community also enrolled in Year 1. Yet the Staff Report reaches the bizarre and entirely speculative conclusion that VLGA will likely only enroll 70% of VCMS' 8th graders, "the projected enrollment at VLGA for the first year would be 86.... [m]uch lower than the petition's projected first year enrollment number of 125." (Staff Report, p.8.) Apparently Staff believe VLGA will not follow its legal mandate – let alone the 53 page Community Impact Assessment "form" (with 156 numbered attachments), which details facilities, outreach and more -- to inform the surrounding community about the school and their opportunity to enroll at our new high school. This mistaken and speculative conclusion is illogical and untenable under the law.

Similarly, the Staff Report's assumptions about our budget and discussion of our facilities options fail to recognize that like any reasonable organization, our leadership team and Board continuously review our budget and expenses on a weekly basis, and make changes as needed to ensure a balanced budget. If one line item exceeds our original projections, we will reduce other expenses as needed. As evidenced by the Staff Report, VCPS and each of its schools are in very strong financial position with more than ample reserves.

The budgetary documentation VLGA provided is legally compliant, but we would have been more than willing to provide additional information if such had been requested. The fact is that Vista knows what it takes to operate a successful charter school from a financial perspective—we've been doing it for thirteen years and all audits have always been clear and without any exceptions. The Staff report itself acknowledges that for fiscal years 2017-2018 through 2021-2022, auditors' opinions in Independent

⁵ VLGA also reserved the right to apply for Prop 39 explicitly in the charter petition. Petition, p. 31.

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Auditor's Reports show Vista Charter Public Schools, Inc. financial statements results in an unmodified opinion with no findings, for each year. Further, as the Petitioner and operator of VLGA's potential "feeder" charter middle school (and its "feeder" elementary school, both integral partners in the surrounding community), we are in a much better position to project enrollment than LACOE staff.

Again, this is not a legally valid basis for denial of a petition. *It would indeed be a prejudicial error,* an abuse of discretion, if the Board were to rely upon this finding to support denial of the charter.

The Staff Report impermissibly contradicts itself in concluding that the petitioners "lack the necessary background in [curriculum, instruction and assessment]" – finding earlier that the proposed educational program is "sound."

This purported "fact" in support of Finding 2 (that VLGA is "demonstrably unlikely" to succeed) includes a recitation of incorrect statements and a clear misreading of the Petition. For example, the Staff Report states that "During the capacity interview it was confirmed that [the proposed CTE pathways in Health. Business and Climate Change] are in the very preliminary stages of development and are not set up as a dual enrollment program[] with any university or community college." (Staff Report, p. 8.) This is entirely incorrect. As detailed in the Petition – including detailed course descriptions – the Health Science pathway relies on the acclaimed Project Lead the Way curriculum and the Business pathway, with a focus on international business, also includes UC Doorways-approved course descriptions. (Petition, pp.67, 92-94.) Vista was clear with LACOE Staff that these pathways are currently being coordinated with LA Trade Tech College, even though our first high school students in Los Angeles won't participate in a pathways course until 2025-26 (10th grade launch). As for the Climate Change pathway, rather than celebrate and compliment the fact that Vista has received an impressive grant for this pioneering work and is working in close collaboration with UC Irvine, the Staff Report instead notes that LACOE's CSO apparently spoke with an unnamed person at UC Irvine – it is unclear if this individual even works with the Environmental and Climate Change Literacy Program project that is leading this work -- who indicated that the "UCI Science Project does not involve the development of day-to-day lesson plans, assessments or dual enrollment." (Staff Report, p. .)

In fact, as detailed in our response to LAUSD's findings, in addition to our collaboration with UC Irvine,:

we also already are partnering with the entire California State University network and its 23 campuses. UC Irvine's scientists are fully aware of A-G requirements and other requirements needed to ensure the Climate Change pathway is developed appropriately and with rigor. The curriculum is being developed by some of the most important minds working on climate change today. We have implemented the first course with our 10th graders in Orange County this fall (100% of whom are currently enrolled in a college course), and are on track to have the full

⁶ Had the Staff Report found Elements 1-3 did <u>not</u> detail a sound educational program, or had the Staff Report found any deficiencies in Elements 4-15, this finding would arguably be appropriate. As currently presented however, it must fail.

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curriculum available early in 2023. Dual enrollment courses will not be offered in Los Angeles until 2024-25 (starting with introductory courses the first year that already are developed).

(Vista Response to LAUSD Findings, Nov. 14, 2022, pp. 10-11.)

UC Irvine already has developed our introductory courses: "Intro to Climate Change," "The Living Earth," and "Chemistry in the Earth's System," each of which we are currently offering in OC as dual enrollment courses for credit with our partners at Santa Ana College and Coastline College. UC Irvine is providing professional development for our faculty. Our accomplished faculty are responsible for collaboratively developing day-to-day lesson plans that are tailored to meet the specific needs of individual students in their classrooms, the state standards, and the curricula designed by UC Irvine faculty.

In another example of the speculation that forms the foundation of the Staff Report, Staff make the sweeping and ludicrous conclusion that "[t]he educational program at VLGA will likely fail to offer [the aforementioned CTE pathways, proposed courses in Mandarin, and AP courses]" based on pure speculation. The pathways are all on solid track for full implementation at VLGA, as indicated in the preceding paragraph. After a pandemic-related suspension, Vista has re-applied to the U.S. Department of State's Teachers of Critical Languages Program for a grant to fund our Mandarin teachers; Vista has been awarded this grant in the past. We anticipate that VCMS will have a full-time Mandarin teacher funded for 2023-24, who will be available part-time at VLGA; similarly we anticipate a Mandarin teacher will be funded for OC. And multiple members of our leadership team and faculty have extensive experience in overseeing and teaching AP courses and dual enrollment courses. The fact that Vista is not yet implementing AP courses at its OC high school – because it currently only serves 9th and 10th grades – is not a valid factual support to find that Vista is unlikely to succeed in plans to implement these courses.

Nothing about these programs, our plans or our staff experience and capacity indicate that VLGA is "likely to fail." Nor is the Staff Report's isolated reading of sections of Element 1's description of the Educational Program an appropriate basis on which to deny this petition. In a spectacularly misleading statement, the Staff Report states:

Compliance and the process of identifying students for an IEP are in line as required by law but the inclusion plan (preceded by an MTSS process) is the only mention of any plan for classroom instruction. Interventions are not specific enough to understand how the charter will address the needs of students with disabilities. There is no mention of explicit, systematic, direct, and unambiguous instruction. . . [N]othing is mentioned about the teaching role and effective methodology for how teaching will be differentiated.

(Staff Report, p. 9.)

This couldn't be further from the truth. A complete and holistic reading of the entirety of Element 1 details the fact that the foundation of the Vista model is personalization and differentiation, which permeates the entire program. Reading a few paragraphs designed to ensure legal compliance with the

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IDEIA, Section 504 and the ADA is simply not a sufficient evaluation of our proposed education program. For example:

- On pages 33-41, the Petition details our comprehensive Framework for Engagement, integrated with ISSN global competencies, STEAM, Social Emotional Learning (SEL), all describing teaching strategies and the ways in which our students receive a highly personalized education.
- On pages 34-40, and 62, the Petition details our ideas about an Educated Person in the 21st Century and How Learning Best Occurs, and Goals for Enabling Pupils to Become and Remain Self-Motivated, Competent and Lifelong Learners, leading to a research-based program.
- Pages 62-75 includes our detailed Instructional Design, specifically created for the target population of low-income students of color, including specifics about how students will be guided to master ISSN's global competencies, standards-aligned STEAM objectives (including PLTW's "gold standard" curriculum and integrated technology), CTE pathways progression, school structures that create a warm, supportive environment that help motivate student engagement and success (including the acclaimed Way of Council program), and specific ways we will work to promote student mental health and wellbeing and support our students who typically face myriad challenges and even crises at home.
- On pages 75-94 we provided detailed, standards-aligned course descriptions and additional details about instruction (tech-integration, small group and whole class instruction, etc.).
- Pages 94-95 list specific published curricula we intend to use in each subject.
- On pages 95-101, we provide *extensive and specific details* about the Instructional Methods and Strategies we use, including problem-based and project-based learning, Kagan cooperative learning strategies, mastery learning, digital portfolios to individualize instruction and mastery, differentiated instruction, data-driven instruction and much more.
- On pages 94, 112-15 we provide details about tiered interventions that will be offered through an MTSS structure.⁷
- On pages 117-19 we detail strategies used from sheltered instruction/SDAIE, designed for EL students but applicable in every classroom for all students, including direct instruction.
- Pages 108-12 detail our comprehensive and intensive teacher professional development and coaching, including PD on Direct Instruction and myriad other teaching strategies.

As our other charter authorizers have found, Vista operates a compliant and effective program for our student with disabilities, including those with moderate to severe disabilities.

The Staff Report's attempt to demonstrate that each of Vista's schools are outperformed on at least one metric (CAASPP scores, EL reclassification or Chronic Absenteeism) by schools within a three mile radius falls flat, as the Report reveals that just one or two schools have a single metric that outperforms our existence schools (in other words, Vista's schools are outperforming the overwhelming majority of the nearby schools on virtually every metric, and in some cases by huge margins). In any event, this point has

⁷ The Staff Report oddly claims Tier 2 and Tier 3 interventions are not included, but they are located on pp. 114-15, just below the Tier 1 interventions. Note that these lists are intended to be illustrative and not comprehensive.

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no bearing on this Board's findings. The existence of a single high-performing school within a three mile radius is not a valid basis for denial of a petition.

The Staff Report ignores the fact that Vista's Superintendent, Dr. Don Wilson, has more than 30 years of experience working in LAUSD prior to joining Vista in 2016. His experience includes serving as Instructional Director in the Intensive Support and Innovation Center under Superintendent Tommy Chang and as Instructional Director for Linked Learning, which included dual enrollment and AP courses. Our Assistant Superintendent, Dr. Colin Felch, began his career as a high school math teacher; in 2013, Dr. Felch was named an LAUSD and Los Angeles County Teacher of the Year. Dr. Felch served as a Math Instructional Coach for the Intensive Support and Innovation Center (ISIC) of LAUSD where he worked directly with 26 different schools to support math teachers, provide professional development, and enhance instruction in math.

Ultimately, the entirety of the Staff Report's conclusions under Finding 2 are based on speculation, not fact, which Section 47605(c) requires. There are many approaches to establishing and operating a successful charter school. The fact that LACOE staff might prefer a different approach does not make VLGA's approach "demonstrably" likely to fail.

As evidenced by a proper and <u>full</u> reading of Element 1, this is not a legally valid basis for denial of a petition. *It would indeed be a prejudicial error, an abuse of discretion, if the Board were to rely upon this finding to support denial of the charter.*

II. <u>Finding 5: VLGA's charter *does* contain a reasonably comprehensive description of all</u> required elements.

The Staff Report admits that VLGA offers a sound educational program (Finding 1, Staff Report, p. 3.), yet asserts that the Petition does not offer a reasonably comprehensive description of the educational program as required in Elements 1-3. This is contradictory on its face. Further, the Petition contains nearly 140 pages describing VLGA's educational program, measurable pupil outcomes aligned with state priorities, and methods for measuring pupil progress. The SBE-promulgated criteria for evaluating charters define what it means for a charter to be "reasonably comprehensive," and our Petition spends nearly 140 pages describing these three elements alone, going well above and beyond what is required by law. Our charter is longer and has more detail than many approved charters around the state. If the County had actual concerns about specific components of our charter, we would have been more than willing to add more detail in places via technical amendments to the Petition. We were never given that opportunity.

The regulatory guidance in 5 CCR 11967.5.1 regarding a "reasonably comprehensive" description of necessary elements is clearly fulfilled by the Petition. The Petition is specific to VLGA's program, substantive and detailed, addressing essentially all aspects of all elements. For example, in support of its conclusion that the "petition does not adequately describe 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*" the Staff Report claims that the ELD program lacks a plan for "professional development for teachers"

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and other aspects of implementation such as leveled designated support.⁸ In fact, as illustrated above, the Petition includes dozens of pages detailing our comprehensive professional development and ongoing coaching programs, including targeted professional development on ELD, integrated and designated instruction, SDAIE strategies and more. The Petition also includes a detailed description of the curriculum that is used in designated ELD courses (pp. 79-80), including specific instructional strategies used in those courses. On the 2022 CA Dashboard reports, the English Learner Performance Indicator (ELPI) for our four existing Vista schools with reportable data in 2022 were 53.6%, 46.7%, 57.6% and 52%% (compared to the statewide average of 50.3% of EL students making progress towards proficiency). Vista serves its significant English Learner population effectively. *Isolated excerpts from the Petition that ignore a full reading of the Petition cannot be a proper basis for denial.*

This same reasoning applies to the Staff Report's attempts to isolate additional sections of the Petition to claim that we do not "adequately describe how the charter will identify and respond to the needs of pupils who are not achieving at or above expected levels." (Staff Report, p. 10.) All of our schools, TK-12, are designed to meet the needs of students who are achieving below grade level, as evidenced by significant portions of our Petition cited above. The Staff Report is repeatedly and blatantly wrong in claiming the Petition fails to describe how we will serve at-risk students, including students with disabilities, English Learners and students achieving below grade level. For example, the report claims the Petition "does not adequately address or describe tier 2 or tier 3 supports, specific to English learners or students with disabilities." (Staff Report, p. 11.) Perhaps Staff misunderstand that our inclusive, integrated, cohesive model is laser-focused on personalization for every student, whatever their needs may be. We do not consider students with special needs as a "separate" population that must be educated in entirely separate and distinct methods than our "typical" or "regular" students. Rather, reflecting the best research supporting the development of an educated person in the 21st century, our beliefs about how learning best occurs, our framework for instructional design, our chosen courses and curricula, and our instructional methodologies (all cited in bullet points above) all work cohesively to support student learning.9

⁸ Any references to a Zero Period in the Petition are now moot; all instruction will be offered during the regular bell schedule, as has been conveyed to both LAUSD and LACOE, and as we are now doing in OC. We do note that while our Petition does not include a detailed explanation of it – a small omission in the discussion on the state's College and Career Indicator that we would be happy to revise with a technical amendment – Vista will offer its high school students the opportunity to earn the State Seal of Bi-literacy and we are familiar with its requirements.

⁹ The Staff Report's quibbles with aspects of Elements 2 and 3 appear to relate to minute details in our draft LCAP table. As noted in the Petition, the table "details the Charter School's goals as of this petition submission as required under the California Education Code, VLGA's stakeholders will engage in a collaborative process each year to update and prepare an annual Local Control and Accountability Plan LCAP) as a basis for prioritizing allocation of funds." (Petition p. 42. Any minor deficiencies with the Petition's LCAP chart, such as specifying goals for 9th and 10th graders in the table beyond those detailed throughout the descriptions of the curriculum and assessments, or clarifying the goals for AP success in terms of both participation and passage rates, would easily be resolved by a simple technical amendment.

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Further, the three allegedly offending elements (1-3) clearly describe how the Charter School will improve student learning ¹⁰, increase learning opportunities, particularly for academically low-achieving students ¹¹, provide parents and students with expanded educational opportunities ¹², hold itself to measurable performance-based outcomes ¹³, and provide vigorous competition with other public school options ¹⁴. The record clearly shows that this finding fails as a reason to legally deny VLGA authorization to open as a charter school serving the students of Los Angeles.

III. Finding 7: VLGA will serve the interests of the entire community in which the school proposed to locate and will neither "substantially undermine" existing schools nor "duplicate a program currently offered."

The Staff Report's alarmist, unsupported conclusion that "LAUSD may be forced to close and consolidate some of its high schools" because of VLGA is nonsense. At maximum enrollment, VLGA intends to educate 500 students. (According to the Staff Report, 70% or 350 of these students will have matriculated from our middle school, VCMS, and will thus not have been a part of LAUSD enrollment, thereby having no impact on the District. Thus LAUSD stands to lose – by the Staff Report's accounting – approximately 150 students when the school is at 9-12 capacity. With more than half a million students attending LAUSD schools, these students who represent a maximum of one tenth of one percent of LAUSD students, will not negatively impact LAUSD and the community around it. While surrounding schools are highly unlikely to close, the Charter Schools Act is designed to provide the sort of competition between schools and districts that improves all schools and educational opportunities for all students. Notably, the Staff Report presents without commentary some cursory data about these nearby high schools, indicating that most of the District-operated schools are failing to serve students in this community effectively and are losing students by margins as high as 43% (Belmont HS), while the small charter schools in the community are largely achieving better outcomes and steadier enrollment rates. (Staff Report, pp. 1-2, 13; e.g., noting CAASPP Met/Exceeded rates as low as 12.5% in ELA and 3.8% in Math (Contreras' School of Global Studies) and graduation rates as low at 60.4% (Belmont HS) at the District-operated schools.) Families in this community deserve a better option. LACOE should consider approval of VLGA as an opportunity for improvement, not only for LAUSD and LACOE schools, but for the children we all serve.

Moreover, the existing traditional and charter high schools in the community are not providing the type of services, academic offerings and programmatic offerings that VLGA will provide. As we already detailed in the extensive and onerous Community Impact Assessment required by LAUSD, and our response to LAUSD's findings:

Here, [LAUSD] staff reveal a clear misunderstanding of the new law. Under [LAUSD staff]'s logic, any new charter school that proposes to offer project-based learning or a CTE Pathway must automatically be denied because LAUSD offers project-based learning and CTE Pathways too. That is not the law.

¹¹ VLGA Appeal 000120

¹⁰ VLGA Appeal 000120

¹² VLGA Appeal 000120-000121

¹³ VLGA Appeal 000121

¹⁴ VLGA Appeal 000121

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Instead, the law asks "Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate." Education Code Section 47605(c)(7). The law does not ask if a single element of a new school is already offered, it asks whether the new school will duplicate another existing "program." (Response to LAUSD Findings, p. 15.)

As already stated, our model includes a "symbiotic" integration of Vista's Framework for Engagement, developed by our Superintendent, including mastery learning, data-driven instruction, project-based learning, Social Emotional Learning strategies, instructional strategies such as Kagan strategies and more; ISSN curricula and a global focus on 21st century careers through our three dual enrollment CTE pathways; emphasis on STEAM; and comprehensive structures, curriculum such as Way of Council, and programs to support students' psycho-social welfare and Social Emotional Learning.

The Staff Report does not – and cannot – identify a single school in LAUSD that is implementing our complete and intentional Framework for Engagement, let alone the entire integrated program we have developed.

This is not a valid basis for denial. *It would indeed be a prejudicial error, an abuse of discretion, if the Board were to rely upon this finding to support denial of the charter.*

"Finding 9": The Staff Report is incorrect in concluding that VLGA's application for a Prop 39 facility means it has failed to meet the requirements regarding the description of facilities.

The Staff Report last adds an impermissible <u>ninth</u> "finding" – <u>not contained in the law</u> – nor factually supported. As a basis for this "finding," the Staff Report claims it falls under a newly created ninth criteria, "The petition does not satisfy all of the Required Assurances of *Education* Code section 47605(d), (f) through (i), (l), (m) and (n)." (Staff Report, p. 14.) But the California legislature already included a potential Finding 4, "The petition does not contain an affirmation of each of the required conditions in subdivision (e)." (Ed. Code 47605.) Presumably if the legislature had wanted this finding to include the other subdivisions cited by the Staff Report, it would have included them. It did not. The Staff Report may not rewrite the law. This simply is not a valid legal consideration.

Moreover, as the "factual" basis for this impermissible finding, the Staff Report asserts that VLGA's petition, "does not describe the facilities to be used by the charter school including where the school intends to locate." (Staff Report, p. 14, emphasis on "including" in Staff Report.) But Staff do not claim VLGA has failed to provide an appropriate description of the intended facilities. The Petition and Community Impact Assessment both include extensive details about our plans to locate the new 9th grade in Year 1 at our existing LAUSD middle school campus. Staff have no issue with these plans. Rather, they claim that VLGA's application for a Prop 39 facility – noted as an option in the Petition – warrants a finding that we have failed to provide "the location" of our intendent facility. They purport to come to this "finding" under As we noted above, basing a finding for denial upon this as-yet-determined choice of

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facility is counter to logic and law. LAUSD hasn't even provided VLGA with a Prop 39 offer because our charter has not yet been authorized.¹⁵

And in fact, the legislature expressly forbids County Boards of Education from this sort of consideration on appeal: "(iii) As used in this subdivision, "material terms" of the petition means the signatures, affirmations, disclosures, documents, and descriptions described in subdivisions (a), (b), (c), and (h), but shall not include minor administrative updates to the petition or related documents due to changes in circumstances based on the passage of time related to fiscal affairs, facilities arrangements, or state law, or to reflect the county board of education as the chartering authority." (Ed. Code 47605(k)(1)(a)(iii)

This "Finding 9" in particular – beyond the state's eight permissible statutory findings for denial - is entirely unlawful. Again, this is not a legally valid basis for denial of a petition. It would indeed be a prejudicial error, an abuse of discretion, if the Board were to rely upon this finding to support denial of the charter.

VLGA is very familiar with the community in which it proposes to locate, having served the students of this community in the Downtown/MacArthur Park neighborhoods in Los Angeles for the past 13 years, first with Vista Charter Middle School and then by adding Vista Horizon Global Academy elementary school. Vista charter schools are designed quite intentionally to serve these students. At Vista Charter Public Schools, teachers, students, and families are all united around the same goal - college and a choice-filled life. We are confident that VLGA will offer families who reside in LAUSD an option for their students to attend a high-performing public high school that is carefully designed to meet their needs, developed from the strong foundation that VCPS has established. VCPS is founded on the vision of improving educational and life outcomes for students in communities where poverty and crime rates are high, and educational attainment and outcomes in local public schools are low.

The law is clear that the presumption should be for approval of a charter, absent serious failures which are not demonstrated here.

Conclusion

For the reasons addressed in the Petition and as discussed above, VLGA respectfully requests the approval of its program as a charter school for a five-year term. We have documented that the LACOE Staff findings are inaccurate, mischaracterize the Petition or the intended program, are inconsistent with the law, or are otherwise not germane to whether the charter should be granted.

Vista Legacy Global Academy looks forward to answering any questions from the County, and the opportunity for collaboration with the County to serve the students of the Los Angeles County School

¹⁵ Reiterating what was explained above, VL A intends to enroll 125 students in 9th grade, notwithstanding LAUSD's convoluted head count calculations for purposes of Prop 39 allocations. Prop 39 offers from LAUSD are often several miles from the intended neighborhood, split onto two or even three campuses, or involve a hostile "host" school. Without first seeing our Prop 39 offer, we of course cannot – and have not – committed to accepting it. The negotiation process with LAUSD is often protracted and intense. n any event, our pursuit of multiple potential facilities options for 2023-24 is not remotely a valid basis for denial.

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Dr. Don Wilson, Superintendent

District. Should you wish to discuss our Petition or responses, or require additional information, please do not hesitate to contact me at dwilson@vistacharterpublicschools.org or (213) 201-4000.

Sincerely,

Dr. Don Wilson

Don Wilson

Dr. Don Wilson Lead Petitioner

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From: Robles Beatrice

Cc: <u>Duardo Debra; Poulin Maria; Andrade Vibiana; Ciccarelli Indra; McCulloch Duncan; Robles Beatrice;</u>

Bartolo Michelle; Marquez Darlene; Esqueda Daisy

Subject: FW: Please Deny Vista Legacy Appeal Date: Tuesday, March 14, 2023 12:23:00 PM

Dear Board Members:

Below is an email received for the County Board. Thank you.

Best,

Bea

From: Swinburn, Ann <ASwinburn@cta.org> Sent: Tuesday, March 14, 2023 12:14 PM

To: Abdo_Judy <Abdo_Judy@lacoe.edu>; Dutton_RMichael <Dutton_RMichael@lacoe.edu>; Perez_Monte <Perez_Monte@lacoe.edu>; Johnson_Stanley <Johnson_Stanley@lacoe.edu>; Cross_James <Cross_James@lacoe.edu>; Chan_Yvonne <Chan_Yvonne@lacoe.edu>;

Forrester_Betty <forrester_betty@lacoe.edu>

Cc: Robles_Beatrice <Robles_Beatrice@lacoe.edu>

Subject: Please Deny Vista Legacy Appeal

Some people who received this message don't often get email from aswinburn@cta.org. Learn why this is important

Dear LACOE Board Trustees.

The California Teachers Association encourages you to deny the appeal of Vista Legacy Global Academy. Both the LAUSD Board and the LACOE staff and Superintendent have provided thorough and thoughtful analyses of the petition's strengths and weaknesses, and we agree with their decisions that this petition should be denied.

In my capacity as a charter school policy expert, working with authorizers statewide to analyze and make decisions about charter school petitions, I found the staff analysis very thorough, and it reflected my own concerns about the shortcomings of the petition. As staff found, the school is demonstrably unlikely to successfully implement the program intended in the petition, the petition does not include a reasonably comprehensive description of all the required elements, and approval of the charter school would clearly cause a significant community impact to programs, services and staffing in neighboring LAUSD schools, as well as nearby charter schools.

There are several very concerning findings, including:

- The program is duplicative of existing charter and district programs with existing capacity, including: Belmont High School, LA Academy of the Arts & Enterprise, and Downtown Business High School.
- The fiscal and operational plans were unrealistic, especially considering current economic conditions;

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- In capacity interviews, the petitioners were unfamiliar with the content of the petition and requirements of law;
- Parents and teachers who signed the petition did not respond to county staff to affirm that they are meaningfully interested in the program, raising questions of whether those signatures were valid to begin with; and

Please adopt the staff and Superintendent's recommendation and deny the Vista appeal. Los Angeles students are counting on you.

Sincerely,

Ann Swinburn
Strategic Research Specialist
California Teachers Association
aswinburn@cta.org; 707-741-0484 (cell)

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From: Robles Beatrice

Cc: Duardo Debra; Poulin Maria; Andrade Vibiana; Ciccarelli Indra; McCulloch Duncan; Sanchez Lila;

Robles Beatrice; Bartolo Michelle; Marquez Darlene; Esqueda Daisy

Subject: FW: Public Comment - LACOE 3/14/2023 Meeting

Date: Tuesday, March 14, 2023 12:02:26 PM

Attachments: <u>image002.png</u> <u>image003.png</u>

Letter to LACOE Rivas 2023-03-14.pdf

Dear Board Members:

Below is an email received for the County Board. Thank you.

Best,

Bea

From: Gonzalves, Rutherford <rudy.gonzalves@lausd.net>

Sent: Tuesday, March 14, 2023 11:07 AM

To: Robles_Beatrice < Robles_Beatrice@lacoe.edu>

Cc: RIVAS, ROCIO < rocio.rivas@lausd.net>

Subject: Public Comment - LACOE 3/14/2023 Meeting

Thank you for the opportunity to submit written public comment related to items to be heard before the County Board.

Attached please find written public comment for the March 14, 2023 Los Angeles County Board of Education meeting - Agenda Item 7A: Adopt the Superintendent's Recommendation to Deny the Charter for Vista Legacy Global Academy, Grades 9-12: Appeal of a Petition to Establish a Charter Previously Denied by Los Angeles Unified School District Board of Education. The attached letter is addressed to the County Board and Superintendent Duardo by Los Angeles Board of Education Member Dr. Rocío Rivas, (213) 241-6020.

Please feel free to contact our office should you have any guestions.



Rudy Gonzalves Chief of Staff Dr. Rocío Rivas, Board Member, District 2

333 South Beaudry Ave., 24th Floor Los Angeles, CA 90017

Cell: (626) 590-8273 | E-mail: rudy.gonzalves@lausd.net

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Dr. Rocío Rivas

Member, Board of Education – District 2 Los Angeles Unified School District 333 South Beaudry Ave., 24th Floor Los Angeles, CA 90017

Office: (213) 241-6020 | E-mail: rocio.rivas@lausd.net

March 14, 2023

Members of the Los Angeles County Board Dr. Debra Duardo, County Superintendent Los Angeles County Office of Education (LACOE) 900 Imperial Highway Downey, CA 90242

Re: Vista Legacy Global Academy: Charter Petition Denial

Dear Members of the County Board and Superintendent Duardo:

I am writing to encourage you to affirm the decision of the LAUSD Board of Education and deny the appeal of Vista Legacy Global Academy. After a comprehensive review of the petition, LACOE staff have made several determinations and findings of fact that support the recommendation to deny it. As the Los Angeles Unified representative of the community in which this petition is proposed to locate, I urge you to deny this appeal because it has not met the standards and criteria for approval.

The review of this petition has produced thorough findings that are consistent between the Los Angeles Unified Board of Education and LACOE staff. The Petitioners are demonstrably unlikely to successfully implement the educational program set forth in the petition; the Petition does not contain reasonably comprehensive descriptions of all required elements; and the Petitioner is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.

The LACOE Staff detailed findings that raise serious concerns and support the recommendation to deny the petition. Staff found that:

- Petitioners are "demonstrably unlikely to successfully implement the program." Deficiencies in
 this area include the Petitioner's unfamiliarity with the content of the petition or legal
 requirements that would apply to the proposed school. The Petition itself included the
 signatures of teachers and parents supposedly indicating intent to teach or enroll at the
 proposed school, but failed to include the required number of signatures because so few
 verified their intent.
- Petitioners presented "an unrealistic financial and operational plan," noting plans that do not
 allocate personnel efficiently and "will fail to meet the reserves as required by State Regulations
 and County Board Policy." Other deficiencies in this area involve the Petitioner's policies on
 borrowing procedures, credit/debit card transactions, and investments.

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Vista Legacy Global Academy: Charter Petition Denial March 14, 2023 Page 2

- Petitioners lack the necessary background critical to the proposed school's success, and the
 Petitioners do not have a plan to secure the services of individuals who have the necessary
 background in these areas." Staff had "many concerns with the planned curriculum," noting
 courses in preliminary stages of development, and questioning the capacity of Petitioners to
 develop curriculum for climate change, Mandarin, Advance Placement and Seal of Bi-literacy.
- Petitioners did not adequately describe how the proposed school would "meet the needs of students with disabilities, English learners, students struggling academically, and other special student populations." Staff also found that Petitioners did not adequately describe measurable pupil outcomes nor methods for measuring pupil progress.
- If approved, the Petition would substantially undermine existing services, academic offerings, or
 programmatic offerings in LAUSD and other current charter schools, including that LAUSD may
 be forced to close some of its consolidated high schools and reduce staffing.
- If approved, the proposed school would "duplicate a program currently offered within the school district" near where it intends to locate. This would impact charter and traditional high schools with enrollment capacity, including Belmont High School, LA Academy of the Arts & Enterprise, and Downtown Business High School.

We appreciate the diligence with which the LACOE staff has prepared their assessment report and recommendation. We encourage you to consider the serious concerns raised in that report, as well as the standards and criteria that are meant to serve the interests of our all our students. In so doing, we ask that you adopt the recommendations and deny Vista Legacy Global Academy's appeal.

Thank you for your commitment to Los Angeles students.

Sincerely,

Rocío Rivas, Ph.D. Board of Education Los Angeles Unified School District

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From: Robles Beatrice

Cc: Robles Beatrice; Duardo Debra; Poulin Maria; Andrade Vibiana; Ciccarelli Indra; McCulloch Duncan;

Bartolo Michelle; Marquez Darlene; Esqueda Daisy; Sanchez Lila

Subject: FW: UTLA Letter - RE Vista Legacy denial Date: Tuesday, March 14, 2023 9:59:14 AM

Attachments: <u>image002.png</u>

UTLA Letter to LACOE Board members - RE Vista Legacy denial.pdf

Dear Board Members:

Below is an email received for the County Board. Thank you.

Best,

Bea

From: Mario Valenzuela < mvalenzuela@utla.net>

Sent: Tuesday, March 14, 2023 7:37 AM

To: Chan_Yvonne <Chan_Yvonne@lacoe.edu>; Johnson_Stanley <Johnson_Stanley@lacoe.edu>; Abdo_Judy <Abdo_Judy@lacoe.edu>; Dutton_RMichael <Dutton_RMichael@lacoe.edu>; Cross_James <Cross_James@lacoe.edu>; Perez_Monte <Perez_monte@lacoe.edu>; Forrester_Bettty@lacoe.edu; Robles_Beatrice <robles_beatrice@lacoe.edu>; Duardo_Debra <duardo_debra@lacoe.edu>

Cc: Cecily Myart-Cruz <cmyartcruz@utla.net>; Jeff Good <jgood@utla.net>; Evy Vaughn <EVaughn@UTLA.net>

Subject: UTLA Letter - RE Vista Legacy denial

Hello LACOE Board Members and Superintendent Duardo,

Please review and enter into the record the attached letter from our UTLA President Cecily Myart-Cruz supporting the denial of Vista Legacy Charter.

Thank you.

Respecfully,

Mario Valenzuela United Teachers Los Angeles (UTLA) Director, Political Action & Community Organizing (213) 447-3957 -cell-(213) 336-2734 -office-

"Find out what any people will quietly submit to and you have the exact measure of the injustice and wrong which will be imposed on them." Frederick Douglass



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OFFICERS

March 13, 2023

CECILY MYART-CRUZ President

ALEX CAPUTO-PEARL UTLA/NEA Vice President UTLA/NEA Affiliate President

JUAN RAMIREZ UTLA/AFT Vice President AFT Local 1021 President

GLORIA MARTINEZ Elementary Vice President

JULIE VAN WINKLE Secondary Vice President

ALEX OROZCO Treasurer

ARLENE INOUYE Secretary

JEFF GOOD Executive Director Dear LACOE Board Members:

I am writing to encourage you to uphold the sound decision-making of the LAUSD Board of Education and deny the appeal of Vista Legacy Global Academy at your meeting this Wednesday. LACOE staff have performed a strong review of the petition and are recommending appropriate and strong reasons to deny the petition. Please make the right decision for Los Angeles students and deny this appeal.

As LACOE staff and the LAUSD Board found, approval of this charter petition would cause a fiscal and community impact for LAUSD schools and students and is duplicative of existing programs — making it demonstrably unlikely to serve the interests of the entire community. In addition, the school is demonstrably unlikely to successfully implement the program intended in the petition, and the petition does not include a reasonably comprehensive description of all the required elements.

Specifically, LACOE staff, among other things, had some very serious findings regarding the petition, including:

- Staff found that the petitioners are unfamiliar with the content of the petition and requirements of law.
- Staff found that the petitioners presented an unrealistic fiscal and operational plan.
- Staff found that the petition did not include the required number of signatures because both teachers and parents who supposedly signed saying they were meaningfully interested in working at or sending their children to the school did not reply to affirm they had signed.
- Staff found that the petition did not adequately describe how the petitioner would meet the needs
 of students struggling academically or students with disabilities.
- Staff found that the petition would substantially undermine existing services, academic offerings, or programmatic offerings in LAUSD and other current charter schools, including that LAUSD may be required to close some of its consolidated high schools and reduce staffing; and
- Staff found that the proposed school would duplicate existing programs with enrollment capacity, including Belmont High School, LA Academy of the Arts & Enterprise, and Downtown Business High School.

For all these reasons, and more, we ask that you adopt the staff recommendations and deny Vista Legacy Global Academy's appeal. Thank you for your service to Los Angeles students.

Sincerely

UTLA President

Ceciliz Mugart-Cruz

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 From:
 Don Wilson

 To:
 Robles Beatrice

 Subject:
 Re: Meeting Request

Date: Thursday, March 2, 2023 2:44:49 PM

Thank you!

Don

Don Wilson, Ed.D. Superintendent Vista Charter Public Schools 2900 W Temple St. Los Angeles, Ca 90026 Work (213) 201-4000 Cell (310) 428-0539 Fax (213) 201-586

On Mar 2, 2023, at 2:40 PM, Robles_Beatrice < Robles_Beatrice@lacoe.edu> wrote:

Hello Mr. Wilson,

I wanted to forward an email that Mr. Cross sent addressed to you. Thank you so much.

Best,

Bea

From: James Cross

Sent: Thursday, March 2, 2023 2:29 PM

To: Robles_Beatrice < Robles_Beatrice@lacoe.edu >

Subject: Re: FW: Meeting Request

Mr. Wilson,

I make it a practice not to talk with Charter school candidates on a one on one basis. I suggest that you be prepared to respond to any deficiencies the LACOE staff has identified.

On Wed, Mar 1, 2023 at 12:37 PM Robles_Beatrice <Robles Beatrice@lacoe.edu> wrote:

From: Don Wilson <<u>dwilson@vistacharterps.org</u>>

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Sent: Wednesday, March 1, 2023 12:26 PM **To:** Cross James cross James@lacoe.edu>

Cc: Karen Amaya < <u>kamaya@vistacharterps.org</u>>; Collin Felch

<<u>cfelch@vistacharterps.org</u>> **Subject:** Meeting Request

Good Afternoon Board President Cross,

I hope this email finds you well and I hope you had an opportunity read my outreach letter to you. I know that your time is limited, but I would like to schedule a meeting with you at your earliest convenience. We are extremely proud of our work but tremendously concerned with the staff recommendation.

I am happy to meet in person or virtually if that is easier for you. Please let me know what days and times are available for you and I will get in on my calendar right away.

Thank you for any time you may be able to spend with me to discuss Vista Charter Public Schools, what we are currently doing in Los Angeles, and why I believe Legacy Global Academy is a school worthy of your support.

Warmly,

Don

Don Wilson, Ed.D. Superintendent Vista Charter Public Schools 2900 W Temple St. Los Angeles, Ca 90026 Work (213) 201-4000 Cell (310) 428-0539 Fax (213) 201-586

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--

James Cross

310.422.2504 ph.vm.txt jvcdane@gmail.com

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From: John C. Lemmo

To: <u>Christy M. Feldman</u>; <u>Janelle A. Ruley</u>

Subject: FW: TIME SENSITIVE - REQUEST FOR DOCUMENTARY RECORD: Vista Legacy Global Academy

Date: Thursday, March 30, 2023 2:52:08 PM

Attachments: <u>image002.png</u>

image498167.png image916125.png image904088.png image600038.png image654341.png

1. 3.14.23 Board Meeting Audio Recording - Vista Legacy.pdf

2. LACOE-AUDIO fulltranscriptindx. Vista Legacy Global Academy. Item VII.A.pdf 3. 1Vista Legacy PowerPoint Presentation Slides ONLY 3-14-23 FINAL.pdf

4. Item VII-A.pdf

5. No. 19 (3-14-23) Minutes.pdf

FW 200 Schools With Serious Concerns over Vista Findings (2.30 MB).msg FW LACOE Board Meeting Concerns Vista Legacy Global Academy (154 KB).msg

FW Letter to Board re Vista Legacy Charter (209 KB).msg
FW Please Deny Vista Legacy Appeal (20.2 KB).msg
FW Public Comment - LACOE 3142023 Meeting (844 KB).msg
FW UTLA Letter - RE Vista Legacy denial (200 KB).msg
FW Dear Board President Cross (164 KB).msg
CALLS IN SUPPORT OF VISTA LEGACY (30.9 KB).msg

Re Meeting Request (24.2 KB).msg

FW FINAL Response to findings on letterhead (4891-8174-1399.v1) (1).pdf (674 KB).msg

8. Certification - Beatrice Robles.pdf

John Lemmo ■ Partner | Attorney at Law

t 916.646.1400 f 916.646.1300 c 619.997.7638

jlemmo@ymclegal.com

www.ymclegal.com



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From: Karen Amaya < kamaya@vistacharterps.org>

Sent: Thursday, March 30, 2023 2:23 PM **To:** John C. Lemmo < jlemmo@ymclegal.com>

Cc: Sommer, Daniel <dsommer@vistacharterps.org>; Collin Felch <cfelch@vistacharterps.org> **Subject:** Fwd: TIME SENSITIVE - REQUEST FOR DOCUMENTARY RECORD: Vista Legacy Global

Academy

From LACOE

----- Forwarded message ------

From: Robles_Beatrice < Robles_Beatrice@lacoe.edu>

Date: Thu, Mar 30, 2023 at 2:06 PM

Subject: TIME SENSITIVE - REQUEST FOR DOCUMENTARY RECORD: Vista Legacy Global Academy

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To: Karen Amaya < kamaya@vistacharterps.org>

Cc: Andrade_Vibiana < Andrade_Vibiana@lacoe.edu >, Robles_Beatrice

< <u>Robles_Beatrice@lacoe.edu</u>>, Torres_Maritza < <u>Torres_Maritza@lacoe.edu</u>>, Ciccarelli_Indra

<<u>Ciccarelli_Indra@lacoe.edu</u>>, Sanchez_Lila <<u>Sanchez_Lila@lacoe.edu</u>>, McCulloch_Duncan

< <u>McCulloch_Duncan@lacoe.edu</u>>, Duardo_Debra < <u>Duardo_Debra@lacoe.edu</u>>, Poulin_Maria

<Poulin Maria@lacoe.edu>, Bartolo Michelle <Bartolo Michelle@lacoe.edu>, Marquez Darlene

< Marguez Darlene@lacoe.edu >, Esqueda Daisy < esqueda daisy@lacoe.edu >

Hello Ms. Amaya,

Attached are the following items you requested as documentary records for Vista Legacy Global Academy on March 17, 2023.

1. March 14, 2023 Board Audio recording of Vista Legacy Global Academy. Link: https://www.lacoe.edu/LinkClick.aspx?
fileticket=8QWr4s46q6l%3d&tabid=485&portalid=0&mid=1575

- **2**. March 14, 2023 Transcript of Board audio recording of Vista Legacy Global Academy Board item.
- **3**. March 14, 2023 PowerPoint presented to the County Board.
- **4**. March 14, 2023 Stamped approval item sheet page with supporting material.
- **5**. March 14, 2023 Approved Board minutes.
- **6**. Public Comment received (emails/telephone calls).
- 7. Vista Legacy Global Academy's response letter.
- **8**. Certification of the Administrative Record.

Thank you	ı and p	olease	let me	know	if you	have	any	difficulties	opening	gany	of the	attach	ments	or
link.														

Best,

Bea

Beatrice Robles

Principal Executive Assistant Superintendent's Office / Board Of Education Office

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robles beatrice@lacoe.edu | lacoe.edu | 562.922.6128 Office 562.743.9065 Mobile

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From: Karen Amaya < kamaya@vistacharterps.org>

Sent: Friday, March 17, 2023 1:56 PM

To: McCulloch_Duncan < McCulloch_Duncan@lacoe.edu>; Ciccarelli_Indra

< <u>Ciccarelli_Indra@lacoe.edu</u>>; Robles_Beatrice < <u>robles_beatrice@lacoe.edu</u>>; Sanchez_Lila

<<u>Sanchez_Lila@lacoe.edu</u>>; Cross_James <<u>Cross_James@lacoe.edu</u>>; Perez_Monte

<<u>Perez_Monte@lacoe.edu</u>>; Johnson_Stanley <<u>Johnson_Stanley@lacoe.edu</u>>; Chan_Yvonne

<<u>Chan_Yvonne@lacoe.edu</u>>; Abdo_Judy <<u>Abdo_Judy@lacoe.edu</u>>; Forrester_Betty

<<u>Forrester_Betty@lacoe.edu</u>>; Dutton_RMichael<<u>Dutton_RMichael@lacoe.edu</u>>

Cc: Don Wilson <<u>dwilson@vistacharterps.org</u>>; Collin Felch <<u>cfelch@vistacharterps.org</u>>

Subject: REQUEST FOR DOCUMENTARY RECORD: Vista Legacy Global Academy

For LACOE, send to the charter office, Bea Robles, superintendent, and the board. And please fill in highlighted date! You can bcc me on those transmissions.

Dear Los Angeles County Board of Education and Superintendent:

This message is regarding the charter petition for Vista Legacy Global Academy, denied by your board on or about March 14, 2023. In accordance with Education Code section 47605(k)(2)(a), I am requesting that the governing board prepare the documentary record, including written transcripts of the public hearing and meeting at which the county board of education denied the charter. The Charter Schools Act requires that the documentary record shall be prepared by the county board of education no later than ten (10) business days after the request of the petitioner is made. This message constitutes that request. We look forward to receiving the complete documentary record, including the written transcripts, no later than March 31, 2023.

Thank you.

Karen S. Amaya

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Assistant Superintendent, Vista Charter Public Schools

213-201-4000 | www.vistacharterpublicschools.org
kamaya@vistacharterps.org | 2900 W Temple St. Los Angeles. CA

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