



APRIL 2003 AGENDA

SUBJECT Request by the Academy of Culture and Technology to Approve a Petition to Become a Charter School Under the Oversight of the State Board of Education.	X	ACTION
	X	INFORMATION
		PUBLIC HEARING

Recommendation:

The California Department of Education (CDE) will provide a complete analysis to the State Board of Education (SBE) with the supplemental mailing.

Summary of Previous State Board of Education Discussion and Action

SBE Authority to Grant Charters: Pursuant to *Education Code* Section 47605(j), as of January 1, 1999, a charter school that has been denied approval by a local chartering entity may petition the SBE to approve the charter. As of January 1, 2003, a charter school must be denied by both a local school district and county office of education before it may petition the SBE to approve the charter.

Previous Requests: Since January 1999, the SBE has reviewed several charter petitions that had been denied at the local level and has to date approved seven such requests. At its December 2000 meeting, the SBE approved two charter schools: the Oakland Military Institute in Alameda County and the Ridgecrest Charter School in Kern County. These two charter schools opened at the beginning of the 2001-02 school year under oversight of the SBE. In July 2001, the SBE approved the renewal of the Edison Charter Academy in San Francisco, which had previously been denied renewal by the district. At its December 2001 meeting, the SBE approved the New West Charter Middle School and the Animo Inglewood Charter High School, both of which are located in Los Angeles County. In September 2002, the SBE approved the School of Arts and Enterprise, also located in Los Angeles County. Finally, in February 2003, the SBE approved the Knowledge Is Power Program (KIPP) Summit Academy in Alameda County.

Oversight of Charter Schools by the SBE: At the request of the SBE, CDE staff presented an issue paper at its May 2000 meeting that outlined a comprehensive proposal for the review, approval and oversight of previously denied charters. The issue paper proposed that the SBE adopt regulations that define a process for the review of a charter petition that has been denied locally. Regulations were developed and approved by the SBE at its December 2001 meeting and are currently in use.

At its October 2001 meeting, the SBE also established an Advisory Commission on Charter Schools (ACCS) and charged it with a number of responsibilities, including advising the SBE on charter petitions that have been denied at the local level.

Summary of Key Issue(s)

The SBE originally heard this appeal at its September 2002 meeting. At that time, the ACCS had recommended approval of the appeal. However, the State Superintendent of Public Instruction and CDE staff had many concerns with the proposed charter. The SBE encouraged the petitioners to revise the petition and submit it again to the Pomona Unified School District for consideration. In the event that the petition was not approved by February 2003, the SBE expressed its intent to approve the petition.

On January 21, 2003, CDE received the second request from the ACT petitioners to authorize the charter

Summary of Key Issue(s)

school proposed to be located in the City of Pomona in Los Angeles County. The petition to establish the charter school was denied again by the Pomona Unified School District on January 14, 2003.

The SBE heard this appeal for the second time at its March 2003 meeting and acted to hold the appeal over until the April meeting.

Fiscal Analysis (as appropriate)

Information will be provided as necessary in the supplemental mailing.

Attachment(s) to this Agenda Item

Additional information will be provided in the supplemental mailing. The complete charter petition and the CDE analysis of any changes submitted by the petitioners before the April meeting will be submitted in the supplemental agenda.