

**BEFORE THE
STATE BOARD OF EDUCATION**

**IN RE: WISDOM ACADEMY FOR YOUNG SCIENTISTS' APPEAL OF CHARTER
REVOCATION**

NOTICE OF APPEAL

State Board of Education
California Department of Education
Charter Schools Division
1430 N Street, Suite #5401
Sacramento, CA 95814

Pursuant to California Code of Regulations, title 5, section 11968.5.5, Appellant Wisdom Academy for Young Scientists ("WAYS") hereby appeals its charter revocation, as stated in the Los Angeles County Board of Education's November 18, 2014 Final Decision and Approved Recommendation.

WAYS' letter brief in support of its appeal, a table of contents of the administrative record and a disc containing an electronic version of the administrative record are enclosed herewith, pursuant to California Code of Regulations, title 5, section 11968.5.5.

Respectfully,

Armando Espinoza

Armando Espinoza

Board Chair, WAYS Board of Directors

WISDOM ACADEMY FOR YOUNG SCIENTISTS

December 18, 2014

Cindy Chan, Interim Director
Charter Schools Division
California Department of Education
1430 N Street, Ste. 5401
Sacramento, CA 95814
cchan@cde.ca.gov

RE: Appeal by Wisdom Academy for Young Scientists of Charter Revocation

Dear Ms. Chan:

The Wisdom Academy for Young Scientists charter school (“WAYS”) presents this letter pursuant to 5 CCR section 11968.5.5(c) in support of our position that the Los Angeles County Board of Education (“LACOE Board”) erred in its decision to revoke the WAYS charter on November 18, 2014. Citations in this letter are to the Exhibits attached to this letter, which are sequentially numbered, and also to the full administrative record, which is also sequentially numbered with the stamp “WAYSAPPEAL.”

WAYS appeals to the State Board of Education to reverse the LACOE Board’s decision to revoke our charter because LACOE glaringly failed to consider student achievement as *“the most important factor”* in revocation as required by SB 1290 and Education Code section 47607(c). This was not a surprise given the open hostility LACOE staff has consistently demonstrated against this African-American operated school. The revocation of our charter by the LACOE Board was not about student achievement at all. Instead, it was the culmination of years of unfair treatment and retaliation against WAYS, because a few LACOE staff members dislike our school’s founder Kendra Okonkwo, her family, the thickness of her accent, and the color of her skin. (See Exhibit 2, pp. E2-3, E2-4; WAYSAPPEAL-001824 to 001825.) The potential closure of our school will force over 200 K-5 predominantly African-American and Latino, socioeconomically disadvantaged students in South Los Angeles back into schools that have failed them—overcrowded schools where lockdowns are commonplace. *Most importantly, these other schools have significantly lower student achievement than WAYS.*

LACOE also violated the revocation regulations when it failed to provide our charter school with due process. LACOE initiated this revocation and issued the Notice of Violation (“NOV”) two months *before* settlement of the arbitration that finalized the terms of the charter petition that it cited as its bases for revocation. This means the LACOE Board revoked our charter based upon charter provisions that LACOE explicitly approved *after* issuance of the NOV. LACOE also failed to allow WAYS a meaningful opportunity to actually *cure* the issues identified in the NOV. Every time WAYS accomplished what LACOE staff requested in the NOV to remedy a purported violation, LACOE staff demanded more, or something altogether different. The issues in the NOV, Notice of Intent to Revoke (“NIR”) and Revocation morphed

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and mutated dramatically as LACOE staff “piled on” requirements and manufactured “evidence.” It became impossible—both as a practical matter and as a matter of law—for the school to actually “cure” any of the so-called “violations”. We believe that was the LACOE staff’s intent from the start.

In its zeal to shut down our school, LACOE staff also employed repugnant, unprecedented tactics that violated the law, then denied WAYS access to the evidence it says it relied upon to revoke our charter. For instance, LACOE staff hired a private eye to follow and videotape our Vice Principal’s private life on at least *sixteen occasions* outside of school. (See WAYSAPPEAL-000405 to 000437; WAYSAPPEAL-000751.) LACOE then “lost custody” of the videotapes before we could review them, and refused to provide information about who currently has possession of them, yet continued to rely on the unreviewable tapes as evidence that our Vice Principal worked two jobs (it’s not unlawful to hold two jobs). (See WAYSAPPEAL-001756.)

We note this letter contains only a brief summary of the procedural and substantive facts in what has been a multi-year battle by WAYS to hold onto its charter while LACOE staff has tried in every way to shut down the school that was initially approved over staff’s recommendation to deny. A more complete history of the facts that led to this revocation, and all of WAYS’ detailed arguments against revocation, are contained in the attached letters and enclosed administrative record.

I. BRIEF SUMMARY OF PROCEDURAL AND SUBSTANTIVE FACTS

WAYS is a public charter school of 498 students (520 students prior to issuance of the NOV). The key factor about WAYS, and what makes it such an important and special charter school, is that it is located in an area blighted by drugs and criminal activity—South Los Angeles. Our area’s schools are anecdotally known as the “prison pipeline”. For decades, South Los Angeles has been mired in poverty, high unemployment, drugs and violent crime, and the lowest of the low-performing schools in the region. WAYS’ students are from communities that historically underperform in the public school system. Charter schools like WAYS are a last hope for many of these families. WAYS was founded by Kendra Okonkwo to fulfill her mission to provide quality educational opportunities for children in the South Los Angeles community, and was first chartered in 2006 by the Los Angeles Unified School District. The school has consistently made unprecedented strides in closing the achievement gap for African-American and Hispanic students. (See Exhibit 5; WAYSAPPEAL-003827 to 003855.)

The LACOE Board approved WAYS’ charter renewal petition (on appeal from LAUSD) over LACOE staff’s strong recommendation to deny in 2011. (WAYSAPPEAL-000001 to 000004.) This approval by the LACOE Board despite its staff’s recommendation was the start of a tumultuous relationship between WAYS and LACOE staff. LACOE staff demanded that WAYS immediately alter its charter petition *after* it was approved with undefined “conditions of approval.” This led to a drawn-out three-year dispute that eventually included both mediation and arbitration. By stipulated consent order, WAYS’ official charter petition was finally settled on September 10, 2014—three years after the LACOE Board’s initial approval.

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(WAYSAPPEAL-003104 to 003323.) In other words, *WAYS did not even have a finalized charter in place when LACOE initiated this revocation.*

LACOE issued a NOV on June 3, 2014. (WAYSAPPEAL-000621 to 001723.) The NOV cited false and unfounded claims of fiscal mismanagement, violations of law and the (then non-existent) charter, based almost entirely on an audit report issued by the Fiscal Crisis and Management Assistance Team ("FCMAT"). The stated purpose of the FCMAT audit was to determine whether WAYS or its personnel were involved in or committed fraudulent activities (FCMAT did not find any evidence of fraud or abuse of any kind). (WAYSAPPEAL-000449 to 000515.) The audit eventually became the cornerstone of the NOV, based on the statement made in the FCMAT report that: "There is sufficient documentation to demonstrate that fraud, mismanagement, and misappropriation of the charter schools funds and assets may have occurred." (WAYSAPPEAL-000502.) The report did *not* conclude or surmise that such fraud or abuse did in fact occur. It concluded with a recommendation that WAYS could benefit from revamped fiscal policies and procedures. *FCMAT did not identify a single instance of WAYS and/or its employees' or founders' actual involvement in fraudulent activities.* (WAYSAPPEAL-000449 to 000502.)

The NOV did not once discuss, mention, or in any way reference student academic achievement. Since the initial approval of our charter, student achievement has *never* been a concern at our school.

As instructed by the LACOE Board, WAYS provided a comprehensive, detailed, issue-by-issue response to the NOV, with three binders of evidence that refuted or "cured" each and every point raised. (Exhibit 1; WAYSAPPEAL-001766 to 003078.) We continued to meet and work with LACOE staff to determine how, if at all, we could address their concerns.

The LACOE Board subsequently issued the NIR on September 23, 2014, which cited many of the same issues in the NOV, *cited entirely new issues*, and paid minimal lip-service to academic achievement in an attempt to retroactively comply with Education Code section 47607(c)(2). (WAYSAPPEAL-003347 to 003395.) WAYS responded with yet another detailed letter that refuted all of the issues raised by LACOE. (Exhibit 2; WAYSAPPEAL-003396 to 003425.) In all of our previous dealings with LACOE over our three-year, rocky relationship, this was the first time LACOE expressed any concern whatsoever about WAYS' academic achievement. LACOE staff's own charts and information in the NIR shows that WAYS *has* increased its academic achievement in several key areas and continues to rank highly when compared overall to its resident and comparison schools. (WAYSAPPEAL-003452 to 003459.)

The LACOE Board voted to revoke WAYS' charter on November 18, 2014 and notified WAYS of the revocation on November 19, 2014. (WAYSAPPEAL-003797 to 3804.) We have initiated this appeal to the State Board of Education to have the erroneous revocation set aside.

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II. SUMMARY OF THE ARGUMENTS IN SUPPORT OF WAYS' POSITION THAT LACOE ERRED IN REVOKING OUR CHARTER

The LACOE Board did not consider student achievement as “*the most important factor*” as required by Senate Bill No. 1290 (2012), and LACOE *did not meaningfully consider the significant increases in WAYS' student achievement*. Our school performs as well or better than the schools our students would otherwise be required to attend (See Exhibit 5; WAYSAPPEAL-003827 to 003855.) WAYS is a unique safe haven in an otherwise bleak area of South Los Angeles.

Senate Bill No. 1290 (2012) (“SB 1290”) addresses this precise circumstance. It required the LACOE Board to consider increases in pupil academic achievement for all pupil groups at WAYS as *the most important factor* in our charter revocation. (Ed. Code, § 47607(c).) LACOE failed to do so. Over nearly three years of correspondence and meetings, at least eighteen unwarranted notices to cure, six months of revocation proceedings, and countless attempts by WAYS to cure the issues identified in the Notice of Violation, *neither LACOE staff nor the LACOE Board ever questioned or even mentioned student achievement at our school until the Notice of Intent to Revoke*. LACOE hastily assembled inaccurate evidence in the eleventh hour to reverse engineer a revocation recommendation. The LACOE staff report for revocation states that “Based on Growth API, WAYS' performance is average compared to it resident, comparison and neighborhood schools. There are traditional public schools and charter schools in the area that outperform WAYS.” (WAYSAPPEAL-003460) The *only* factor LACOE staff could point to in its attempt to discredit WAYS' academic achievement is one year's data on one test—the CST in science, in which WAYS' academic performance dipped. (WAYSAPPEAL-003460.) Even if true, LACOE staff's own data presented to the LACOE Board demonstrated a charter that is *better than or at least equal to* the schools its students would otherwise attend.

In fact, based on the most recent API calculation, ***WAYS' API score of 769 outperforms 49 of 67 (that is 73%) of the schools within a 3-mile radius of the WAYS campuses***. Additionally, based on October 2013 enrollment data, *at least 70.35% of WAYS students would otherwise likely attend a school with a lower school-wide API*. The remaining students would attend a school more than 3 miles from WAYS. (See Exhibit 5, E5-9; WAYSAPPEAL-003835.)

The LACOE Board did not consider student achievement as “*the most important factor*” as required by SB 1290. The California Court of Appeal has already decided that SB 1290 means what it says. (*American Indian Model Schools v. OUSD* (2014) 227 Cal.App.4th 258.) For the LACOE Board, student achievement at WAYS was (at best) an afterthought. LACOE willfully ignored the statutory mandate in Education Code section 47607(c) in favor of its own agenda for revocation. For this reason, the WAYS charter revocation must be reversed.

It is also important to note that LACOE's revocation of our charter violated WAYS' due process. LACOE initiated this revocation and issued the NOV two months *before* settlement of the arbitration that finalized the terms of the charter petition that are cited as bases for revocation. Our charter was approved in 2011 by the LACOE Board against the LACOE staff's recommendation to deny, with “conditions of approval” to be delineated in our charter. It was unclear what those “conditions of approval” entailed. In 2012, WAYS made a Public Records

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Act request for a copy of our own final, approved WAYS charter so we could be clear on what conditions LACOE expected us to follow. We received a response that “[t]here is not a public document that responds to your request.” (WAYSAPPEAL-000097.) WAYS and LACOE went to mediation and arbitration to resolve the terms of the WAYS charter. After more than a year, the arbitration was settled and LACOE staff approved the WAYS charter on September 10, 2014—more than three months *after* the LACOE Board issued the NOV for violation of the terms of our (then-nonexistent) charter.

The NIR contains complaints about the revised charter that LACOE staff approved less than two weeks prior to issuance of the NIR. (WAYSAPPEAL-003356.) For instance, the NIR complained that the job description in the newly resolved charter for the Director of Operations “result[ed] in a lack of necessary checks and balances.” This job description was a point of contention between WAYS and LACOE but both sides eventually reached a compromise in *September 2014*. (WAYSAPPEAL-003422 to 003425.) LACOE Deputy General Counsel Courtney Brady explicitly stated in the arbitration that LACOE “can agree to the job descriptions” in the charter, including the exact description for the Director of Operations that is cited as a basis to revoke the charter in the NIR. (WAYSAPPEAL-003422) The drawn-out arbitration process resulted in a charter document that both sides claimed they could live with—that was the point. It is a violation of WAYS’ due process that the LACOE Board revoked our charter based upon provisions that LACOE explicitly approved and were ordered *after* issuance of the NOV.

Unfortunately, as is evident in the enclosed administrative record, our school has had many disputes over the years with LACOE staff. Over the six-month period between January 2012 and June 2012, for example, LACOE issued *eighteen notices to cure* to the WAYS executive director and governing board with a variety of unsubstantiated concerns. None of the concerns in these notices were sufficient to justify a revocation of the WAYS charter, so LACOE staff went out of their way to *manufacture* evidence to form the basis of a revocation. LACOE expended at least \$18,000 of public funds to conduct the FCMAT audit of the “Okonkwo family” (WAYSAPPEAL-000443 to 000448), which resulted in the lone conclusion that WAYS should improve its fiscal policies and internal controls. On the FCMAT audit intake form, LACOE staff reported to FCMAT that it “suspected” fraud or abuse had occurred at the school. FCMAT thoroughly investigated LACOE staff’s suspicions, and the FCMAT report concluded that the fiscal policies and internal checks at WAYS created an environment where fraud or abuse *could have* occurred (but there was no evidence it actually *did* occur). LACOE staff then relied on this statement by FCMAT as the basis for the NOV and revocation. This circular “evidence” is not sufficient to justify revocation, especially where WAYS’ fiscally and academically outperforms 67 of 69 public schools within a 3-mile radius of its community, and 12 out of 13 of its pupil’s resident schools.

WAYS has taken every step we could take to compromise with LACOE staff and cure the purported violations identified in the NOV and NIR. Yet every time WAYS has done what LACOE staff requested in the NOV to remedy a purported violation, LACOE staff has demanded more, or something altogether different. We note that the issues in the NOV, NIR and Revocation morphed and mutated dramatically as LACOE staff “piled on” requirements and purported “evidence.” It became—both as a practical matter and as a matter of law—impossible

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for the school to actually “cure” any of the violations. We believe that was LACOE staff’s intent. There is no basis in the charter law for the demands LACOE staff has made of the WAYS charter school.

In an effort to understand and respond to the FCMAT report, we requested “evidence” referenced and relied upon by FCMAT under the Public Records Act (“PRA”) on April 11, 2014. (WAYSAPPEAL-000547 to 000552.) This same “evidence” was later cited by LACOE in the NOV, NIR and Revocation. (WAYSAPPEAL-000621 to 001723; WAYSAPPEAL-003347 to 003395; WAYSAPPEAL-003438 to 3791.) *LACOE never gave WAYS access to all the evidence used against it, despite our repeated requests.*

Initially, LACOE staff responded to our PRA request that because our request was “extensive,” the records would not be available for *two months* because LACOE staff would need to “research the relevant documents” for production. (WAYSAPPEAL-000569.) We now know LACOE staff used this extra time to prepare the NOV *based on the very records we had requested*. LACOE staff presented the NOV to the LACOE Board before we even received a single page of the requested evidence against us. (WAYSAPPEAL-000603 to 000614.)

On June 19, 2014—over two months after our initial request—LACOE responded to and produced a total of twenty-three documents in response to our thirty-eight categories of requested records. (WAYSAPPEAL-001753 to 001764.) Our request for evidence in the remaining categories was outright ignored by LACOE. This response was grossly inadequate. The production was completely void of any of the useful, substantive records that WAYS had formally requested and that LACOE had *already used to initiate revocation proceedings*. To top it off, the LACOE Board had already given WAYS a deadline of July 31, 2014 to prepare a comprehensive, document-heavy response to each and every allegation in the NOV and FCMAT report. LACOE staff was now stalling in producing the “evidence” against WAYS, making it impossible for us to construct a proper response.

We went directly to the LACOE Board to address the inadequacy of staff’s production of evidence used to revoke our charter, and LACOE staff finally produced approximately 5,000 pages of records on June 23, 2014. (WAYSAPPEAL-001765.) While some of these documents were responsive to our requests, many were just copies of items WAYS already possessed, including some LACOE staff had previously produced, and many documents we specifically instructed LACOE staff that we did *not* want. (WAYSAPPEAL-001758 to 001764.) Further, *the production included more than 1,000 documents that were duplicates of one another*. (WAYSAPPEAL-003079 to 003082.) In short, LACOE staff attempted to “bury” us in paper. For all of the time that LACOE staff had initially claimed it needed to “research the relevant documents,” it appeared they had simply jumbled 5,000 pages of mostly duplicative, non-responsive records at the last minute to thwart our ability to actually *cure* the issues in the NOV.

In the revocation of WAYS’ charter, LACOE staff also employed unprecedented and illegal “investigation” tactics. Based on documents we received from FCMAT, WAYS directed the audit of *six* alleged members of the Okonkwo family—even though only three of the alleged persons of interest have ever worked at WAYS. (WAYSAPPEAL-000449 to 000515.) LACOE staff also wrongly used public resources to contract with a private investigator who followed and

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videotaped our Vice Principal for a period of several months outside of school, in violation of her constitutional right to privacy and her federal civil rights (we believe the Vice Principal's own civil rights case against LACOE for this is currently pending). (WAYSAPPEAL-000405 to 000437.) In the end, the private eye failed to uncover a single violation of law. When we asked LACOE under the PRA for records of such tactics used to audit any other charter school, we received no records. (WAYSAPPEAL-003100 to 003103.)

As described in extended detail in our attached responses to the NOV, NIR and Revocation, LACOE staff's contention that WAYS failed to meet GAAP and engaged in fiscal mismanagement is false. There has never been a disregard for internal controls at WAYS. When the 2012 and 2013 independent audits recommended modifications to WAYS' financial policies, WAYS revised its fiscal policies on *three separate instances with input and assistance from LACOE's own Controller's office*, in attempts to establish concise, approved policies and procedures that strengthened WAYS' internal controls. (Exhibit 1, pp. E1-9.) Further, WAYS contracted with Charter School Management Corporation ("CSMC"), a reputable charter school back office service provider. (Exhibit 1, pp. E1-12.) WAYS timely requested and was granted extensions for the "late" audit report submissions identified by LACOE. (Exhibit 1, pp. E1-18.) LACOE contended that WAYS violated conflict of interest statutes by engaging in "related party transactions," but to be clear, a "related party transaction" is not a violation of any law or statute. When WAYS employed two individuals who are siblings, the supervision and established checks and balances detailed in WAYS' fiscal policy prevented any occurrence of conflicts of interest or fiscal mismanagement.

In sum, *LACOE's decision to revoke our charter was entirely based on false allegations and phantom "violations" that we have fully and accurately cured or refuted.* LACOE staff made a last-ditch effort to include student achievement in its revocation records. (WAYSAPPEAL-003388 to 003395; WAYSAPPEAL-003451 to 003462.) However, this revocation did not include any meaningful analysis of that issue. (See *American Indian Model Schools v. Oakland Unified School District* (2014) 227 Cal.App.4th 258, 285 [holding that simply including academic achievement information in an NIR staff report "does not shed any light on how the [authorizer] used the report when making its revocation determination"].) Education Code section 47607(c)(2) requires a charter authority to give *extra weight* to increases in pupil academic achievement for all groups of pupils served by the charter school. It was not enough for LACOE to simply "keep in mind" or "take into account" WAYS' significant record of academic achievement. Findings related to WAYS' academic achievement are more important than any findings that the school violated its (then non-existent) charter, "may" have engaged in fiscal mismanagement, or violated any provision of the law. We hope the State sees that this was an unlawful revocation.

Sincerely,

Armando Espinoza

Armando Espinoza

Board Chair, WAYS Board of Directors

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Exhibits:

1. WAYS Response to Proposed Notice of Violation
2. WAYS Response to Notice of Violation (Cure)
3. WAYS Response to Proposed Notice of Intent to Revoke
4. WAYS Response to Proposed Final Decision on Revocation
5. WAYS Student Achievement Data

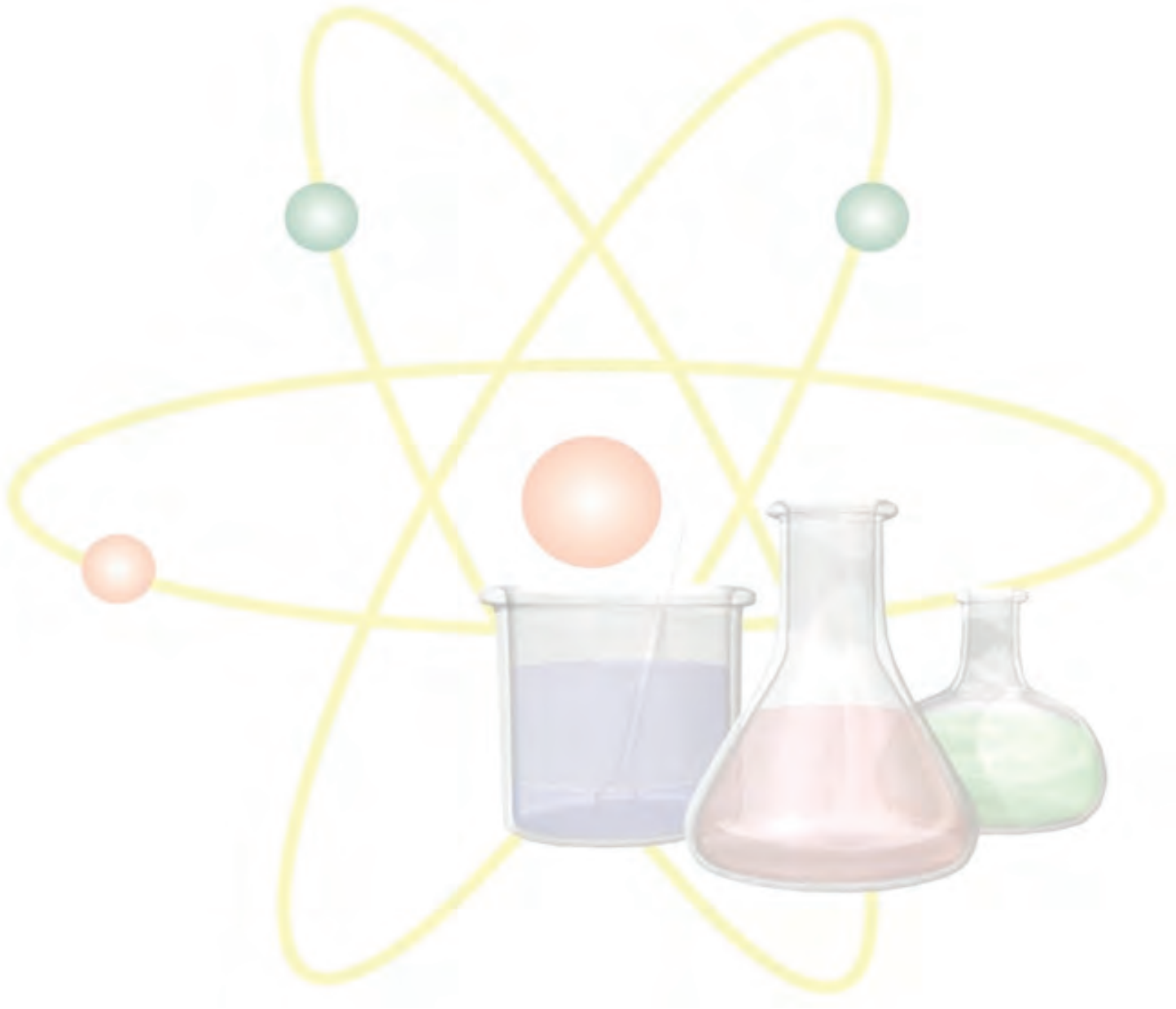


EXHIBIT 1

WISDOM ACADEMY FOR YOUNG SCIENTISTS

June 3, 2014

Members, Los Angeles County Office of Education (LACOE) Board of Education
Judy Higelin, Project Director
Charter School Office
Los Angeles County Office of Education
9300 Imperial Highway
Downey, CA 90242

Re: Proposed Issuance of Notice of Violations to Wisdom Academy for Young Scientists ("WAYS")

Dear LACOE Board of Education Members:

LACOE Charter School Office ("CSO") staff has asked you to issue a "Notice of Violations" to WAYS charter school, a school that has been in operation for more than 10 years and is one of the only charters in South Los Angeles. A Notice of Violations ("NOV") is a precursor to revocation of a school's charter for an uncured violation of law. Here, there is no uncured violation of law at WAYS. The proposed NOV is based on false and unfounded claims by LACOE CSO staff. LACOE Charter Schools Office staff has asked the Board of Education to issue a NOV based on Education Code section 47607(c)(3) and Education Code section 47607(c)(1), but there is *no evidence of fraud, fiscal mismanagement, or a material violation of the WAYS charter*. We urge you to vote "no" on issuance of the NOV.

WAYS has long been subjected to unfair treatment and retaliation from the LACOE Charter School Office, and LACOE staff has departed from normal procedures and business practices in evaluating WAYS for compliance. For instance, the LACOE Charter Schools Office hired a private investigator to follow and videotape a WAYS staff member on at least 16 occasions without her knowledge and without LACOE Board approval—a tactic we do not believe LACOE employs with its other charter schools. The LACOE Charter Schools Office also expended \$18,000 for an audit of WAYS by the CSIS Fiscal Crisis and Management Assistance Team ("FCMAT"). The stated purpose of the FCMAT audit was to investigate possible fraud to determine whether WAYS and/or its personnel were involved in or committed fraudulent activities. The audit has now become the cornerstone of staff's proposed NOV, even though *FCMAT did not identify a single instance of WAYS and/or its personnel involvement in fraudulent activities*.

The proposed NOV is based on the following false and unsubstantiated claims about the school, which are described in further detail herein:

- (1) *False allegations cited from the FCMAT audit.* The proposed NOV excerpts the FCMAT audit at length, but these excerpts are not actual *findings* made by FCMAT. Instead, they are *false allegations* FCMAT received directly from LACOE staff. The proposed NOV and audit wrongfully suggest to the LACOE

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Board of Education that some form of fraud or "other illegal activities may have occurred" in some hypothetical fashion, but there is *no evidence* of such fraud in the audit or any of the 1,000+ pages of documents attached to the proposed NOV. As LACOE Controller Zak Memon reported to the WAYS Board in April, FCMAT did *not make any factual finding of mismanagement or "fraud" at WAYS*. In fact, there are no findings of any wrongdoing by WAYS in the audit. The audit recommended that WAYS tighten up some of its fiscal policies and internal controls, and WAYS *has already done so* at the direction and with the approval of LACOE's own Controller. The proposed NOV fails to identify any further "cure" WAYS could perform related to the audit.

We believe it is also important for the Board of Education to know that WAYS submitted a Public Records Act request to LACOE CSO staff in April in order to review and better understand LACOE's and/or FCMAT's evidence in support of accusations of fiscal mismanagement at the school. LACOE responded that it will not provide documents until June 16, 2014. Now, two weeks before it will provide the documents to WAYS, the LACOE CSO has requested the Board of Education issue a NOV based on the FCMAT audit. Any NOV based on the FCMAT audit is premature until at least after June 16, 2014, when WAYS is provided the opportunity to review copies of any written, verbal, observational reports, complaints, and board records LACOE claims to possess to substantiate the FCMAT audit report and proposed NOV.

(2) *Already-Resolved Issues Related to the Brown Act and Governance at WAYS.*

The proposed NOV is also based on old issues related to the Brown Act and other topics that are immaterial, have already been cured, and are already part of a current arbitration between LACOE and WAYS. The issuance of a NOV on issues that are subject to arbitration would result in LACOE's violation of the charter and terms of the arbitration.

1. Response to Allegation of Fiscal Mismanagement (Ed. Code, 47607(c)(3))

Assembly Bill (AB) 139 Extraordinary Audit and WAYS' Public Records Act Request for Evidence

As noted above, the FCMAT audit report does not state any factual findings or determinations. Rather, the audit concludes with its starting point—a "suspicion" that WAYS and/or its officials "may have" committed "fraud" or other "illegal activities." The FCMAT audit contained a single recommendation (emphasis added): "The county superintendent should: Notify the governing board of WAYS charter school, LACOE's governing board, the State Controller, the Superintendent of Public Education, and the local district attorney that fraud, misappropriation of assets or other illegal activities *may have* occurred." The audit report does not conclude that any fiscal mismanagement occurred, or is occurring at WAYS.

The FCMAT audit report recites "factual assumptions" that FCMAT received directly

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from LACOE CSO staff, which cannot form the basis of a NOV. These "assumptions" are incorrect or one-sided, subjective, biased, and based on unsupported allegations. For example, the FCMAT audit report erroneously states that *"WAYS is a tightly held small public charter school operation founded and primarily operated by one family and close associates."* This statement is plainly untrue, and reflects a fundamental misunderstanding of nonprofit corporations. WAYS is a small public charter school formed and operated entirely under the California Nonprofit Public Benefit Corporations Law. It was founded by the former executive director, is governed by a robust nonprofit corporate board of directors composed of members of the community, and is operated by professional teachers, and administration.

In an attempt to better understand the FCMAT audit report, on April 11, 2014, WAYS submitted a Public Records Act request to LACOE CSO for copies of the documents relied upon by FCMAT and/ or LACOE CSO during the audit. LACOE CSO's response to WAYS' request was late (the Public Records Act requires a response within 10 days) and incomplete. LACOE replied that the documents requested would not be available for review until June 16, 2014, but did not explain the reason for the delay. Now, the proposed NOV cites the FCMAT audit as the primary reason for revocation of the WAYS charter. Yet LACOE has refused to provide WAYS with the backup documentation related to the audit until *two weeks after it has asked the Board of Education to issue a NOV.*

WAYS cannot adequately address the FCMAT audit or a NOV based on the FCMAT audit until the requested documents are provided by LACOE CSO staff. It would be extremely prejudicial and a violation of WAYS' due process for LACOE to issue a NOV based on the FCMAT audit without providing WAYS the opportunity to examine all the evidence.

Alleged Lack of Internal Controls

Zak Memon, LACOE Controller, presented the Superintendent's report and recommendation to the WAYS Board following the FCMAT audit. The County Superintendent's recommendations to WAYS are as follows in their entirety, verbatim from Mr. Memon's report (emphasis added):

"As we all know that LACOE Superintendent had sent a letter to FCMAT to conduct the audit of the school and the audit was conducted and a report was presented to us, which we are here today to the present to the board here. The report, if I look at it, several pages has so many transactional findings that they report, but I think that you have taken an excellent step today, by what the bottom line of the report is, and that is the fiscal policies. Because all it boils down to is the fiscal policies [inaudible word], and this is an excellent step that, is a very good first step in the right direction that this is what it's all about. Because this report primarily talks about two things: one was the fiscal policies and procedures [inaudible word], and the other was the internal controls. So obviously, once we have the fiscal policies approved and implemented, then fiscal controls will come in. As I was looking at this report, that was to be the bottom line. I'm a CPA, I was an auditor before, and the reason I believe what they have done in this report, that they went through several transactions, is to substantiate

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WISDOM ACADEMY FOR YOUNG SCIENTISTS

and say that we need to strengthen the internal controls, and we need to revisit the fiscal policies, which Halilu has done today, and of course you [WAYS Board Members] have suggested some improvement, which is very good, to that policy on page number five. I believe that once you go through this policy and approve them, please send it to LACOE and that will solve a lot of problems, moving forward.

This was my conclusion, it really talks about that the bottom line is the internal controls and fiscal policies. Moving forward, that is the improvement directed in the recommendations."

Mr. Memon recommended that the WAYS Board adopt revised fiscal policies and procedures drafted by its back-office services provider, Bali Business Management, which Mr. Memon reviewed. Mr. Memon stated: "If we can go over [the revised fiscal policies and procedures], if you can approve it, and sent to us the approved policies, our Charter Schools Office will present it to the [LACOE] board as this is what the school has done, and that will help."

In direct response to the LACOE Superintendent's report and recommendations arising from the FCMAT audit, WAYS' Board *has already cured any alleged lack of internal controls*. At its April 30, 2014 Board of Directors meeting, the WAYS Board: (1) implemented a revised Fiscal Policies and Procedures to strengthen WAYS' internal controls and operational practices; (2) solicited FCMAT on-site fiscal services, including side-by-side coaching and technical assistance to guide WAYS through financial issues, and assistance to help strengthen the school's fiscal operations; (3) committed to provide additional training and professional development for the staff who participate in, and are responsible for, financial transactions, and for WAYS staff that are key in decision-making roles; and, (4) committed to evaluate its employment contracts.

Other Fiscal-Related Issues

The proposed NOV and FCMAT audit incorrectly imply that there is something illegal or wrong about a WAYS employee participating in and/or founding a nonprofit corporation that serves children who may also attend WAYS. Nothing could be further from the truth. By definition, there is no conflict of interest for such service to nonprofit public benefit corporations. Similarly, there is no "eternal prohibition" against former employees from having financial transactions with WAYS. While true that there appears to have a conflict several years ago when WAYS leased property owned by a person who was then then executive director, any such conflict was long ago cured (at the LACOE's direction and approval) when the former executive director was separated from employment. There is no unlawful conflict or "fraud" evidenced by WAYS leasing property from the former executive director.

The proposed NOV notes a concern that, "there is an integral relationship between appointed board members and related family members and business associates... that created an environment that allowed and continues to allow access, opportunity and motivation for occupational fraud to occur." Again, neither the proposed NOV nor the FCMAT audit

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concluded that WAYS *actually* engaged in occupational fraud, or that any such fraud occurred at a WAYS school.

We note that WAYS' April 30, 2014 revised Fiscal Policies and Procedures Handbook included Policy Number Sixteen: Conflicts of Interests. This policy mandates that Board Members disclose financial conflicts of interest, including those arising under Government Code § 1090. School Officials must also adhere to the Merle Williamson Foundation Conflict of Interest Policy and the County's Conflict of Interest Policy. WAYS' new policy "cures" staff's concerns in that it eliminates the possibility of related party transactions, and conflicts of interest.

The proposed NOV also draws attention to reconciliations of bank accounts, and transactions without complete supporting documentation. Again, none of FCMAT's concerns present any evidence of actual fraud, abuse, and/or fiscal mismanagement. WAYS' April 30, 2014 revised Fiscal Policies and Procedures Handbook included Policy Number Nine: Account Reconciliation. Under this policy, WAYS has already "cured" this concern and will "reconcile and review the result of operations to make sure the transactions are charged to the appropriate accounts."

The proposed NOV claims that WAYS violated the law when it failed to submit timely Independent Audits for 2012 and 2013 in accordance with Education Code § 47605(m). Policy Number Nine: Account Reconciliation, Number 10, adopted by the WAYS Board in April, cures this violation, and WAYS is confident that the 2014 audit will comply with Education Code § 47605(m).

2. Response to Allegation of Material Violation of Charter (Ed. Code 47607(c)(1))

Fiscal Policies and Procedures

This portion of the proposed NOV claims the WAYS Board failed to perform its duties as described in the WAYS charter because the WAYS Board failed to follow adequate fiscal policies.

WAYS, at the recommendation of LACOE Controller Zak Memon, has already acted to "cure" its fiscal policies and internal controls when it adopted and implemented revised Fiscal Policies on April 30, 2014. For example, under the April 30, 2014 revised Fiscal Policies and Procedures, the WAYS Board addresses its authority to approve contracts. Policy Number Four: Contracting, details how contracts must be approved, and who can approve such contracts. The WAYS board also adopted Policy Number Three: Purchase and Other Procurement, which determines how WAYS can purchase items. Additionally, under the April 30, 2014 revised Fiscal Policies and Procedures, the WAYS Board addressed budget preparation and implementation (Policy Number One). The policy calls for WAYS to adopt a budget that is approved by the board and implemented by management staff. The policy outlines the roles of the Executive Director and Financial Consultant, and Policy Number Nine establishes timelines for when the budget must be prepared.

Brown Act and Board Meetings

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The proposed NOV also makes reference to the WAYS charter provision that, "The Governing Board of WAYS will meet monthly," and concludes that WAYS has failed to comply with this provision of its charter. A review of the chart listed on pgs. 22 through 23 of the Notice of Violation show that with the exception of a couple of months, a monthly Board meeting *was in fact held* by WAYS for the past three years. Additionally, this topic is currently the subject of an arbitration proceeding pending between LACOE and WAYS. Inclusion of these issues in the NOV is inappropriate and improper.

WAYS Employees

The amended financial policies already adopted by the WAYS Board of Directors in April provide specific direction to the Executive Director with regard to duties and responsibilities of the Executive Director. The amended policies specifically designate the roles assigned to the Executive Director with regard to financial oversight and presentations to the board. Any past violations of the charter in terms of adequate descriptions and evaluations of the Executive Director's role are immaterial and have already been cured. Additionally, the amended financial policies provide specific direction to the WAYS Director of Operations/On-Site Financial Manager with regard to duties and responsibilities of the position. The amended policies specifically designate the roles assigned to the Director of Operations/On-Site Financial Manager.

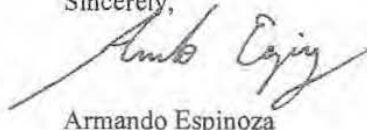
3. Concern Regarding the General Capacity to Operate a Charter School

In this portion of the proposed NOV, LACOE CSO staff again cite the FCMAT report: "The failure to establish adequate controls ... coupled with the lack of accountability to the governing board created an environment for fraud and misappropriation to occur."

As we stress herein, FCMAT did not conclude that fraud and misappropriation occurred. The FCMAT report goes on to suggest that, "These findings should be of great concern to the WAYS governing board and the LACOE governing board and require immediate intervention to limit the risk of fraud and/or misappropriation of assets in the future." In light of the FCMAT report, WAYS has amended its policies, under the direction and recommendation of LACOE, and continues to improve its financial oversight and internal controls.

In sum, even if the proposed NOV identified former violations, WAYS has already fully remedied all the incidents that are the subject of the proposed NOV. We are happy to continue to work with LACOE staff to close this file, but we urge you to vote "no" on a Notice of Violation.

Sincerely,



Armando Espinoza

Board Chair, WAYS Board of Directors

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EXHIBIT 2

WISDOM ACADEMY FOR YOUNG SCIENTISTS

July 31, 2014

Members of the Board of Education
c/o Superintendent Arturo Delgado
Los Angeles County Office of Education
9300 Imperial Highway
Downey, CA 90242

Re: Wisdom Academy for Young Scientists' Response to Notice of Violation

Dear Members of the Board of Education:

At the June 3, 2014 Los Angeles County Board of Education ("County Board") meeting, you asked the Wisdom Academy for Young Scientists ("WAYS") to provide a detailed, comprehensive response and backup materials for each and every issue raised in the Notice of Violation ("NOV") drafted by LACOE staff. This letter and the enclosed three binders of extensive documentation provide you with that response.

We have reviewed each and every page of evidence identified by and attached as an exhibit to the NOV,¹ as well as all the "backup" documents we received from FCMAT and LACOE staff in response to our Public Records Act requests. LACOE staff have *not* provided substantial evidence of any current, uncured, material violation of law or charter at WAYS that could support revocation of the charter. For each and every "violation," LACOE failed to produce evidence that either: (1) a "violation" actually occurred; or, (2) the violation has not been cured. The burden to produce substantial evidence demonstrating actual violations of law or the charter is placed solely upon LACOE—there is no evidentiary burden for WAYS to *disprove* LACOE's allegations. In any event, WAYS has gone above and beyond what is required, and provides to you ample evidence demonstrating the inaccuracy of LACOE's allegations. The bottom line is that there is no "violation", and WAYS asks that you acknowledge that this matter is closed pursuant to Code of Regulations section 11968.5.2(d)(2).

You provided us additional time for this response beyond LACOE staff's recommendation, and we want the County Board to know we have used that time to not only prepare this comprehensive response, but to take additional steps to bolster our school's leadership and operations, which include:

¹ Upon inspection, the 1,000+ pages of "evidence" LACOE staff attached as exhibits to the NOV are primarily: WAYS' Board meeting minutes (which LACOE has received on a regular basis for the past three years) and materials; and printouts of LACOE staff's Google searches, such as an obituary announcement for a person who apparently was a distant relative of former Director of Operations Jason Okonkwo, and screenshots of Vice Principal Deara Okonkwo and the Innovative Ways Academy website. The poor copy quality is a result of LACOE staff's poor photocopying.

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- The addition of two new, experienced board members to the WAYS board of directors (added on July 23, 2014) (Exhibit 1);
- The recruitment of a new Executive Director, holding board interviews on July 23 and 30, 2014. The Board expects to select a final candidate in August, subject to completion of background check and finalizing contract terms;
- The proposal of an updated Executive Director evaluation policy and procedures (draft enclosed as Exhibit 2); to be adopted by WAYS board of directors upon review by LACOE);
- The consideration of a contract with Celerity, an experienced and highly-regarded charter school operator and consultant, for school educational support services such as WAYS board meeting and Brown Act compliance support, assistance in vendor selection and management, guidance and oversight on relations with LACOE staff, and technical assistance to WAYS for its instructional school leadership, management and operations (Celerity also provides these services to the successful, LACOE-authorized Celerity Sirius charter school and others) (draft enclosed as Exhibit 3 & Exhibit 30.)
- The decision on July 30, 2014 to hire Charter School Management Services to serve as the school's back office services provider. CSMC is one of the largest providers of such services to charter school;
- The recruitment of candidates to fill Jason Okonkwo's former position was successful and WAYS has hired a new Director of Operations. WAYS is exploring the possibility of hiring a Co-Director of Operations whose primary responsibility will be to oversee compliance with the school's financial policies and procedures to ensure proper implementation and effective internal control;
- The purchase of the school's 706 E. Manchester site, to alleviate LACOE staff's perceived albeit unfounded concern about the school's lease of the property from its owner, former WAYS employee Kendra Okonkwo (currently in escrow);
- The organization of a full-day WAYS Board training to train board members on governance issues (such as Brown Act, conflicts of interest, charter school best practices), and discuss the school's strategic plan and direction (scheduled for August 2014); and
- The preliminary resolution of the arbitration proceeding pending between LACOE and WAYS, which resolves what LACOE staff believed were inconsistencies between the charter, the MOU, and WAYS' operations. (Exhibit 66.)

These steps are in addition to the additional actions WAYS took *prior to* June 3, which were inexplicably *not* reflected in the LACOE staff report for the NOV, such as the WAYS Board of Directors' adoption of financial policies and procedures that LACOE's Controller Zak Memon

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(on behalf of Superintendent Delgado) stated would cure any lack of internal financial controls at WAYS.

The steps WAYS has taken, coupled with the responses in this letter and the evidence in the enclosed three volumes of documentation, fully and completely respond to the NOV. The evidence demonstrates that there are no current, uncured conflicts of interest or violations of law or the charter.

As we have shared with the Board in part, for years now WAYS has been subjected to unfair treatment and retaliation from the LACOE Charter School Office staff, which we believe is because a few LACOE staff members dislike and hold contempt for the school's founder Kendra Okonkwo, her family, the thickness of her accent, and the color of our leaders' skin. These few LACOE staff members have *dramatically* departed from the normal procedures and business practices LACOE uses for its other twelve charter schools, and we believe it is important for the County Board to be aware of this. The discriminatory treatment by LACOE staff has detrimentally impacted WAYS students, parents, staff, former and current board members and our entire community in South Los Angeles. We want to work with LACOE staff to move forward under our charter, and we believe we can do so. In the past weeks in particular, we have worked with LACOE staff members Judy Higelin and Courtney Brady to resolve the arbitration between WAYS and LACOE, and to keep LACOE staff informed and on board with the changes at WAYS outlined above. However, we also want the members of the Board of Education to understand the hostile climate LACOE staff has created for WAYS in the past years since approval of our charter:

- *Each and every time* LACOE Charter Schools Office staff members have arrived at and entered our school during regular school hours over the past three years, they are accompanied by armed bodyguards, presumably to protect them from our K-5 elementary students. We have learned LACOE does not bring firearms when they visit other schools. LACOE's message to our children and community is that they are perceived as dangerous criminals. Our students, teachers, staff, parents, attorneys, consultants, community members and board members, WASC accreditation staff, LAUSD Employees, Assistant Senior Deputy for Education and Public Safety to Los Angeles County Supervisor Mark Ridley-Thomas—all attend or visit our school *without* armed bodyguards. We have *never* experienced an incident of violence at WAYS, and even LACOE staff's own notes reflect that our school is a safe environment with a "secure front entry" where "visitors must ring a doorbell and be buzzed into the main office" and there is "a security guard that is on duty at the location." (Exhibit 4, WAYS000026.)² LACOE staff's use of public funds to hire armed bodyguards for WAYS visits—and *only* WAYS visits—is unlawful, discriminatory and offensive. It has become intolerable. Worse, LACOE staff Judy Higelin actually *delights* in her offensive treatment of our African American and Latino youth. She bragged to staff at the Alameda County Office of Education that "We get to go with an armed guard," and the recipient responded "Pretty scary stuff." (Exhibit 5, WAYS000029.)

² We have periodically provided bates numbers to specific exhibits for your convenience.

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- On May 15, 2013, Judy Higelin met with WAYS' Executive Director Ed Cabil and stated that LACOE staff believes WAYS should hire a Latino administrator because "Latino parents want to see the face of the community!"—implying that the school's administration should be Latino/a and not African American. (Exhibit 6, WAYS000032.) We note we are the *only* remaining African American operated public elementary school in South Los Angeles.
- The LACOE Charter Schools Office paid a private eye to follow and videotape a WAYS staff member (Vice Principal Dr. Deara Okonkwo) on at least 16 occasions without her knowledge and without County Board approval—a tactic we do not believe LACOE employs with its other charter schools. (See Exhibit 16, WAYS000144.) We requested the video surveillance records by a Public Records Act request on April 11, 2014. (Exhibit 7.) After over two months of delay, our attorney Greta Proctor spoke with LACOE attorney Courtney Brady on the telephone June 17, 2014, and discussed these video surveillance records. (Exhibit 8.) Courtney Brady specifically stated that LACOE did in fact possess the video surveillance records "on DVD", and in fact specified the records could be produced on DVD versus CD, and that LACOE would provide a copy rather than requiring WAYS to duplicate LACOE's own DVD. Then, on June 18, 2014, Ms. Brady recanted and cryptically stated that LACOE did *not* have "possession, custody or control" of the video surveillance records. (Exhibit 9, WAYS00045.) LACOE staff could not have lost "possession, custody or control" of the DVD—LACOE is explicitly relying upon it as evidence in the NOV (and FCMAT report). If LACOE cannot produce this "evidence" for review, please remove all reference to it from the NOV.
- The LACOE Charter Schools Office spent \$18,000 in scarce public dollars for a witch hunt directed at the WAYS founder's family by the Fiscal Crisis and Management Assistance Team ("FCMAT"). The FCMAT audit intake form, which LACOE filled out when it hired FCMAT, reveals that the audit was *not* initiated to correct financial mismanagement *at all*. Rather, LACOE explicitly stated its purpose to target and persecute the school's founder Kendra Okonkwo and her family, and to manufacture the appearance of grounds for revocation. (Exhibit 13.) On the intake form, LACOE staff recklessly reported to FCMAT that there was "evidence of" breach of fiduciary duty and conflict of interest, and "possible" evidence of ludicrous crimes such as "extortion", "mail and/or wire fraud", and "conspiracy". LACOE staff listed the "Okonkwo Family" as "co-conspirators" and "suspects." (Exhibit 13, WAYS00063.) (Most of the family members have never even been involved with this or any charter school, but were "investigated" anyway.) FCMAT informed WAYS that it performed private background checks on *six* members of the "Okonkwo family" whom LACOE specifically accused of "fraud". Only Deara, Jason and Kendra Okonkwo have *ever even* worked at the school. It concerns us that three additional "Okonkwos" were accused by LACOE staff and investigated by FCMAT. ***The audit did not find evidence that any fiscal mismanagement occurred at all, or is occurring at WAYS, by any member of the Okonkwo family or anyone else, much less any crimes such as extortion, fraud or conspiracy.*** The NOV claims both Deara Okonkwo and Jason Okonkwo have "conflicts of interest," related to the school, even though both have been *specifically cleared of any such conflicts*. (See,

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e.g., Exhibit 10, WAYS000054 [letter from FPPC to Jason Okonkwo dated July 18, 2014 stating FPPC has “closed its file” on any potential conflicts of interest].)

- After the FCMAT audit, WAYS had to *specifically request* that LACOE comply with Education Code section 1241.5(c), which *requires* the LACOE Superintendent to present recommendations to the WAYS board of how to respond to the audit. Our request apparently stumped LACOE staff. In an email dated March 25, 2014, Judy Higelin asked for advice from a friend at the Alameda County Office of Education: “Staff is being tasked with preparing the report to the WAYS Board on the FCMAT Audit. We cannot find any sample.... Do you have anything we could use as guidance?” “Do you by chance have a copy of the [] report that was delivered for us to model after?”³ (Exhibit 5, 000029.) Clearly, LACOE staff ordered the FCMAT audit to amass “evidence” against WAYS for revocation; it had not even *considered* that the FCMAT report should be used to *improve* the school as provided by the FCMAT statutes.
- LACOE staff refuses to acknowledge that the WAYS charter document itself was approved by the County Board. After the County Board approved WAYS’ petition on June 7, 2011, LACOE staff asked WAYS to revise the charter petition in several areas as a “condition” of approval. WAYS attempted to do so in good faith and on numerous occasions, but each time WAYS submitted a redlined draft to LACOE staff, the draft was rejected without any insight or direction as to what LACOE believed was amiss. This has made it impossible for WAYS to comply with LACOE staff’s demands—it is reminiscent of the old voter literacy tests in the Jim Crow era. WAYS complies with the charter *as it was approved by the LACOE Board of Education*, yet LACOE staff expects compliance with conditions not yet memorialized in any final charter document. Ms. Okonkwo requested a copy of WAYS charter from LACOE staff, and LACOE staff responded that “There is not a public document that responds to your request.” (Exhibit 11, WAYS000056.) Noticeably, LACOE did *not* include copy of the school’s charter as an exhibit to the NOV. We believe this issue has recently been resolved, or soon will be as part of an arbitration proceeding initiated by LACOE. But for purposes of this NOV response, LACOE’s actions pose a technical problem for itself in that the parties must refer to compliance with a charter document *that LACOE staff states does not exist*.
- LACOE staff has had preconceived but incorrect notions that “illegal” activities were taking place at WAYS before our charter was even approved by the County Board. That is why LACOE staff recommended denial back in 2011. FCMAT recently provided us evidence that *before* LACOE became WAYS’ charter authorizer, a LACOE staff member contacted the Los Angeles District Attorney’s Office accusing Kendra Okonkwo of an alleged conflict of interest and demanding an investigation—*the very same* LACOE staff member who urged the County Board to deny the charter. (Exhibit 12, WAYS 000059.) The DA’s response was only that the matter was

³ That “model” was for revocation of an Oakland area charter school called “AIMS” for fiscal mismanagement. Earlier this month, a Superior Court judge overturned that “model” and restored the AIMS charter school.

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“currently open” at that time. But the issue was never pursued by the DA. Rather than accept the DA’s conclusion that there was no illegal activity occurring at WAYS, LACOE staff has continued to press for more inquiry, more investigation, and contrary to all evidence, has refused to let go of the idea that “something illegal” must have happened at WAYS. In one instance reported by a former WAYS board member, the former Charter School Office Coordinator, Janis Isenberg, expressed her suspicion about how Mrs. Okonkwo accumulated real estate and ran a successful charter school “if she could not even speak English correctly.”

In short, these abusive conditions and the constant game of “hide the ball” by LACOE staff has made it difficult for us to work with them. We believe the County Board has only heard one side of the story about WAYS from LACOE staff. We hope this letter provides the other side, and provides the careful response necessary for the Board to see that WAYS continues to successfully serve our community, continues to improve, and should remain open to ensure that the interests of WAYS students prevail. We look forward to working with both LACOE staff *and* the Board of Education in the future in that regard.

I. LACOE FAILED TO FOLLOW THE CORRECT STANDARD IN ISSUANCE OF THE NOV

LACOE staff cites violations of Education Code sections 47607(c)(1)(A)⁴ and 47607(c)(1)(C)⁵ as the basis for the NOV to revoke the WAYS charter.

Before revocation, Sections 47607(d) and (e) require LACOE to provide the school with a written notice of “*facts in support of revocation*” and “*a reasonable opportunity to remedy the violation.*” LACOE has not complied with these procedures. The “facts” cited by LACOE in the NOV do not support revocation of the WAYS charter because they are (1) false and unfounded, as demonstrated by LACOE’s own evidence, and WAYS’ enclosed evidence, or (2) to the extent they are true, they have already been fully cured, most many years ago, *or were never a violation of law or the charter in the first place.* Importantly, the NOV fails to identify what WAYS could do to “remedy” the violation to LACOE’s satisfaction. Unless there is a meaningful opportunity for WAYS to remedy the violations to LACOE staff’s satisfaction, then the NOV is a sham and violates the revocation procedures in the Education Code.

Section 47607(c)(1) requires that in order to revoke a charter, the charter authorizer must find that “*substantial evidence*” supports a determination that the school violated the law or charter. “Substantial evidence” means evidence “of ponderable legal significance” that is at least “reasonable, credible, and of solid value.” (*JKH Enterprises, Inc v. Dep’t of Industrial Relations* (2006) 142 Cal. App. 4th 1046, 1057; *Beck Development Co. v. Southern Pacific Transportation Co.*, (1996) 44 Cal. App. 4th 1160, 1204.) The phrase “substantial evidence” “cannot be deemed synonymous with ‘any’ evidence.” (*Id.*) It must actually be *substantial* proof of the essential

⁴ All references to statutes in this letter are to the Education Code unless otherwise specifically noted.

⁵ LACOE staff actually cited 47607(c)(3) and 47607(c)(1), yet 47607(c)(3) does not exist. For the purposes of this letter, WAYS assumes the proper sections are 47607(c)(1)(A) and 47607(c)(1)(C).

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elements which the law requires to be proven in a particular case—here, that there exists a current, uncured, material violation of law or charter at WAYS.

The NOV, issued by the County Board, must convey and provide the “substantial evidence” that LACOE has relied upon so WAYS has a reasonable opportunity to remedy the alleged violations. We have reviewed several thousand documents in our compilation of this response: the entire record of exhibits to the NOV, documents produced by LACOE staff, documents produced to us directly from FCMAT, and our own files. We invite the County Board to review the same record. There exists *no* “substantial evidence” in the record to support a revocation of the WAYS charter. Many of the “facts” in the NOV are actually conclusory statements from the FCMAT report, which turn out to be regurgitated conclusions of the LACOE staff itself presented to FCMAT when it asked for the audit. For example, LACOE expressed their concerns about WAYS to FCMAT on the intake document, which mentions “payment to founder (250k) w/out proof of payment being owed” and “Daughter working for another company while employed (also conspiracy).” (Exhibit 13, WAYS000062.) These circular conclusions are not “substantial evidence.” Several of the exhibits attached to the NOV are incomprehensible printouts of webpages taken from a Google search with no apparent relevance, such as 21 pages of screenshots from the “Innovative Ways Academy” website, which LACOE staff appears to assert is the evidence that the vice-principal of WAYS was not fulfilling her regular contracted hours of work. (See Exhibit 14.) For each and every “violation,” LACOE failed to produce evidence that (1) the violation actually occurred, or (2) the violation has not been remedied. Again, the burden to produce all such evidence is on LACOE; the burden is *not* on WAYS to *disprove* the claims made by LACOE.

We remind the County Board that “[t]he chartering authority *shall not* revoke a charter, unless it makes written factual findings *supported by substantial evidence*, specific to the charter school, that support its findings.” (Ed. Code § 47607(e).) We believe the item-by-item responses in Section III of this letter (which tracks the format of the NOV), as well as the attached documentary evidence, demonstrate that LACOE cannot meet the evidentiary burden required to revoke a charter.

II. BACKGROUND INFORMATION AND TIMELINE OF EVENTS LEADING TO THE NOV

The NOV contains numerous inaccuracies and omissions in the “evidence” cited in support of the NOV and ostensibly revocation.

The NOV discusses a Notice of Concern issued to WAYS by LACOE’s Superintendent on December 20, 2013. The NOV claims that WAYS failed to timely respond to the Notice of Concern, and notes that LACOE received separate responses from (1) a single WAYS board member, and (2) the WAYS Executive Director and the rest of the WAYS board. However, the NOV fails to note that LACOE staff sent the Notice of Concern to *a single* WAYS Board member (Carol Tolbert) *at her personal residence in Oakland, CA and her personal email address only*—not to the school’s address of record. The MOU imposed by LACOE specifies how notice is to be provided—and LACOE *failed to follow that process*. At the time the Notice of Concern was issued, WAYS’ Executive Director and board members had informed LACOE staff that Board member Tolbert had been performing poorly and not acting in the best interest of

the school. The Executive Director further informed LACOE staff that Ms. Tolbert might be removed by the other board members in accordance with the bylaws. Despite this information, LACOE staff failed to provide the Notice of Concern to the school's address as required under the MOU between LACOE and WAYS, so WAYS did not receive the transmission until three weeks later on January 14, 2014. Instead, LACOE staff actually sent the notice *only* to the "rogue" member herself—who was later removed after demand from the community.⁶

The Notice of Concern stated it was based on "complaints" LACOE received about WAYS, and the NOV similarly refers to those "complaints", but provides no specifics. We have reviewed *all* the evidence provided by LACOE and it turns out that those "complaints" are constituted solely by one single email from Ms. Tolbert addressed to Mr. Cabil—nothing else. (Exhibit 15.) In the email, Ms. Tolbert stated her grievances with Mr. Cabil. The letter was not addressed to LACOE, nor was it sent to LACOE as a "complaint" intended for LACOE's consideration.

As to the timeliness of WAYS' response to the Notice of Concern, the Notice demanded that WAYS submit a plan of action to LACOE by January 20, 2014—an arbitrary deadline *which ironically happened to be Martin Luther King, Jr. Day*, a national holiday on which even LACOE offices were closed. WAYS submitted its response and plan of action the day after the national holiday, on January 21, 2014. Any reasonable 21st century American should find it absolutely outrageous that LACOE staff would cite this one-day-delay as a reason to revoke the charter of the only African American operated public elementary school in South LA, especially when the Notice was never actually transmitted to the school in the first place.

III. WAYS' ITEM-BY-ITEM RESPONSE TO GROUNDS AND EVIDENCE CITED IN NOV

a. RESPONSE TO ALLEGATION OF FAILURE TO MEET GENERALLY ACCEPTED ACCOUNTING PRINCIPLES OR ENGAGEMENT IN FISCAL MISMANAGEMENT (ED. CODE § 47607(C)(1)(C).)

This section of the NOV relies on the FCMAT audit report to substantiate claims that WAYS either failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement. The entire basis for this portion of the NOV is the statement made in the FCMAT report that:

"There is sufficient documentation to demonstrate that fraud, mismanagement, and misappropriation of the charter schools funds and assets may have occurred."

(Exhibit 16, WAYS000151 (emphasis added).) WAYS has been trying for several months to discover what LACOE's general allegations of "fraud, mismanagement and misappropriation" specifically refers to. LACOE staff have been vague and/or non-responsive to our requests. ***There has never been any fraud, misappropriation, theft or any misuse of public monies at WAYS.*** We have asked both LACOE staff and FCMAT for *evidence* of any misuse of the

⁶ LACOE's Notice of Concern was based upon an email communication between Ms. Tolbert and Executive Director Ed Cabil. It was not a complaint or even a communication addressed to LACOE.

charter school's assets, and have not received any such evidence. FCMAT did **not** actually make **any** factual finding of any wrongdoing by WAYS in its report. The conclusion that fraud "may" have occurred is unhelpful, and could be said about any school, agency or business. Without **any** evidence, much less "substantial evidence," this conclusion is certainly insufficient to support a revocation.

i. WAYS Has Implemented New Policies And Procedures And Is Recruiting New Management Personnel To Strengthen Its Internal Controls

The FCMAT audit report recommended that WAYS improve its fiscal policies and internal controls, and WAYS has already done so (weeks before the NOV was issued) at the direction and with the approval of LACOE's Controller. Yet the NOV alleges that WAYS lacks effective internal controls. The NOV and the FCMAT report fail to identify how WAYS could further "cure" its internal controls beyond the new, enhanced fiscal policies and procedures it has already adopted.

On April 25, 2014, LACOE Controller Zak Memon presented ***the official*** Superintendent's report and recommendation to the WAYS Board arising from the FCMAT report, as is required by Education Code §1241.5(c) ("the county superintendent shall report the findings and recommendations to the governing board of the charter school at a regularly scheduled meeting.") The Superintendent's recommendations are as follows in their entirety, verbatim from Mr. Memon's report (emphasis added):

"As we all know that LACOE Superintendent had sent a letter to FCMAT to conduct the audit of the school and the audit was conducted and a report was presented to us, which we are here today to the present to the board here. The report, if I look at it, several pages has so many transactional findings that they report, but I think that you have taken an excellent step today, by what the bottom line of the report is, and that is the fiscal policies. Because all **it boils down to is the fiscal policies** [inaudible word], and this is an excellent step that, is a very good first step in the right direction that this is what it's all about. **Because this report primarily talks about two things: one was the fiscal policies and procedures** [inaudible word], **and the other was the internal controls.** So obviously, once we have the fiscal policies approved and implemented, then fiscal controls will come in. As I was looking at this report, that was to be the bottom line. I'm a CPA, I was an auditor before, and the reason I believe what they have done in this report, that they went through several transactions, is to substantiate and say that **we need to strengthen the internal controls, and we need to revisit the fiscal policies, which Halilu has done today, and of course you [WAYS Board Members] have suggested some improvement, which is very good, to that policy on page number five. I believe that once you go through this policy and approve them, please send it to LACOE and that will solve a lot of problems, moving forward.**

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This was my conclusion, it really talks about that the bottom line is the internal controls and fiscal policies. Moving forward, that is the improvement directed in the recommendations.”

Mr. Memon recommended that the WAYS Board adopt revised fiscal policies and procedures drafted by its back-office services provider, Bali Business Management, which Mr. Memon reviewed. Mr. Memon stated: “If we can go over [the revised fiscal policies and procedures], if you can approve it, and send to us the approved policies, our Charter Schools Office will present it to the [LACOE] board as this is what the school has done, and that will help.” WAYS did just that. At its April 30, 2014 meeting, the WAYS board adopted a revised Fiscal Policies and Procedures Handbook. (Exhibit 17.) LACOE staff participated in revising the handbook, and made numerous suggestions that were ultimately included in several of the policies and procedures. (Exhibit 18.) The handbook is comprehensive, covering budget development and implementation, payroll, purchases, contracting, check requests, and many other topics that were areas of concern for LACOE staff. This handbook will be a guide for WAYS. The school has already effectively cured any alleged failure to adopt and implement adequate financial policies *two months before the NOV was issued*. The NOV failed to address the Superintendent’s own **official** recommendation required by the Ed. Code, and utterly fails to consider WAYS’ response to that recommendation.

The NOV also quotes the FCMAT report’s conclusion that the WAYS executive management team failed to obtain proper signatures and Board approval prior to entering into contracts. As a preliminary note, nothing in the law, charter, corporate bylaws, or in the previous or updated fiscal policies require the WAYS board to approve every contract the school enters into. Such practice would divert the board’s time from more important tasks and unnecessarily entangle the board’s duties with those of the administration. The day-to-day operations of the school are the purview of the Executive Director, who has authority to enter into most contracts and approve most purchases without prior Board approval.

Under the previous WAYS Fiscal Policies and Procedures Handbook, the Executive Director was expressly tasked with overseeing purchases and contracts. (Exhibit 19.) For example, Policy Number Four titled “Contracting Policies and Procedures” reads, “All contracts must be approved by the School Director and [Director of Operations].” (Exhibit 19, WAYS000214). The same language is mirrored in the “Contracting” policy under the revised 2013 policies and the newly adopted 2014 Financial Policies and Procedures Handbook. (Exhibit 20, WAYS000238; Exhibit 17.) ***Neither policy requires Board approval for all contracts.***

In any event, the WAYS board did (and continues to) exercise its approval powers when it comes to major contracts. Examples include:

- Contract with Royal Dining Catering for school breakfast and/or lunch services approved by the board on July 31, 2012 (Exhibit 21);
- Contract with Medina’s for central air and heat system installation approved by the board on July 31, 2012 (Exhibit 22);

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- Contract with Total Education Solutions for the provision of education and consulting services approved by the board March 22, 2013 (Exhibit 23);
- Contract payment to McGraw-Hill for new textbooks approved by the board on February 27, 2014 (Exhibit 24);
- Contract with Hill, Morgan, and Associates LLP to conduct the 2014 fiscal year independent audit approved by the board on April 25, 2014 (Exhibit 25);

Contrary to the claims in the NOV, the board also provided regular oversight of the school's financial position and activities. (See Exhibit 26 [the WAYS board recently approved a comprehensive three-year Local Control and Accountability Plan].) Bali Business Management ("Bali"), the school's back-office services provider, has presented a summary financial report at almost every meeting of the board of directors. (Exhibit 27 [attached are WAYS Board of Directors meeting agendas and minutes from the past three years].) An example of these regular reports is enclosed. (Exhibit 28 [attached is the June 2014 Financial Report, which is one example of the regular reports provided to the WAYS Board since 2011. Copies of the other reports are available upon request].) At each meeting, a representative from Bali summarized the current financial state of the school, the budget, and typically provided handouts to board members with detailed financial information. The board has consistently monitored the school's financial affairs since its inception, which is one of the reasons the school has been so financially stable over the years. Wisdom Academy for Young Scientists continues to show strong financial position and performance in line with historical records of the school over the past seven years. This is an indication that the school is one of the best fiscally-managed schools in the region. One of the ratios indicating strong financial position includes current ratio (the ability to pay current liabilities when due) of 12:1, which is better than accepted industry average of 2:1. Other ratios include coverage ratio of total debt to total assets of 9%, meaning the school can withstand losses in the future without worrying about inability to pay its bills. (See Exhibit 28.)

Part of the NOV's concern with internal financial controls at WAYS centers around the school's employment of two of WAYS founder Kendra Okonkwo's adult children: Jason Okonkwo (Director of Operations) and Dr. Deara Okonkwo (Vice Principal). Neither Jason nor Deara Okonkwo are dependents of Kendra Okonkwo, and neither has any *actual* conflict of interest in any of the school's transactions. For example, although the school is currently in escrow to purchase the 706 E. Manchester site, WAYS has historically leased the site from a company owned by Kendra Okonkwo, and paid rent to her. Kendra Okonkwo is not on the WAYS board and has not worked at the school since April 30, 2011—prior to LACOE's authorization of the charter. Neither Jason Okonkwo nor Deara Okonkwo had any "personal financial interest" or other impermissible conflict of interest in the lease under the Political Reform Act, Government Code section 1090 or the Corporations Code—and LACOE provided *no evidence whatsoever* to the contrary.

In fact, LACOE staff complained to the FPPC about Mr. Jason Okonkwo's alleged "conflicts" sometime in 2011 and 2012. The FPPC is "the" state agency that enforces the Political Reform Act, and investigates such conflicts. The FPPC's Senior Enforcement Counsel officially determined a few weeks ago that "after a full investigation", that there was insufficient evidence of any such conflict. (Exhibit 10, WAYS000054.) The FPPC referred to LACOE

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staff's disproved allegations as "rumors". The FPPC states that it has "closed the investigation". That is the end of it. LACOE cannot seriously contend that revocation is appropriate in light of that FPPC determination.

Nevertheless, at the request of LACOE staff to avoid any *appearance* of a conflict of interest, Jason Okonkwo's contract has not been renewed to serve as Director of Operations for WAYS for the 2014-15 school year. This decision was mutual by the WAYS board and Jason Okonkwo, and he is currently retained on a temporary independent contractor basis while the school searches for his replacement. (Exhibit 29.) Further, in the interest of recruiting "new faces" (LACOE's staff's terminology) at WAYS at the request of LACOE staff, the WAYS board and Mr. Cabil have chosen not to renew his contract as WAYS' Executive Director. Mr. Cabil will remain in his position while the school searches for a replacement with similar experience and passion. Candidates for the Executive Director position were interviewed by the WAYS board on July 23 and 30, 2014, and the Board expects to select a final candidate subject to negotiation of contract terms and background check clearance.

To further solidify the new internal controls and management at WAYS, the school's board has considered two contracts with established charter school support organizations. On July 23, 2014, the WAYS board of directors considered a contract with Celerity Global Development, a California nonprofit public benefit corporation, for school educational support services such as WAYS board meeting and Brown Act compliance support, assistance in vendor selection and management, guidance and oversight on relations with LACOE staff, and technical assistance to WAYS for its instructional school leadership, management and operations. Celerity also provides these services to the successful, LACOE-authorized Celerity Sirius charter school, and other charters. (Exhibit 30 & Exhibit 3.) On July 30, 2014, the WAYS board of directors approved a contract with Charter School Management Company ("CSMC") to serve as the School's new back-office services provider. The WAYS board intends to retain CSMC either by separate contract or as part of the Celerity contract. These partnerships will ensure that WAYS implements and maintains the new, rigorous internal controls recommended by LACOE staff and adopted by the WAYS board of directors on April 30, 2014.

ii. LACOE Staff And The FCMAT Report Both Misrepresent The Auditor's Findings in the WAYS' Annual Audits

The FCMAT report and the NOV both inaccurately claim that the annual WAYS Independent Audit Reports from fiscal years 2012 and 2013 contain repeat findings which WAYS has failed to cure from year to year. The NOV contends WAYS' repeated failure to cure constitutes further proof of the lack of effective internal controls at WAYS.

It appears that neither LACOE staff nor FCMAT's auditors have carefully reviewed the WAYS Independent Audit Reports, because the 2012 and 2013 findings in the Audit Reports are *not* repeated or the same. For example, both reports contain "bank reconciliation" findings, but cite different causes for the deficiency. (Exhibit 31, WAYS000594 [deficiency based on need to ensure proper school official reviews reconciliations monthly]; Exhibit 32, WAYS000640 [deficiency based on need for support documentation for each transaction].) WAYS *addressed each finding* thoroughly and immediately upon receipt of the Reports.

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Most importantly, the recommendations from both Independent Audit Reports were for the school to improve policies and procedures to help avoid issues in the future. WAYS has done so. As previously discussed, WAYS has also implemented a LACOE-approved comprehensive Financial Policies and Procedures Handbook on April 30, 2014 that applies to every specific recommendation in the independent audit reports. LACOE has not identified any other steps or actions WAYS could possibly take to further “cure” the points raised by the WAYS auditors.

iii. There Are No Conflict Of Interest Violations At WAYS

The NOV generally and incorrectly claims there are “conflicts of interest” at WAYS. A “conflict of interest” is not subjective. It is defined by law (such as the Political Reform Act, Government Code section 1090, and the Corporations Code). The only transactions and evidence cited in the NOV as “conflicts of interest” all occurred *years ago*. If there was ever any conflict of interest at WAYS, it was likewise cured *years ago*.

In this section of the NOV, LACOE staff also cites the FCMAT report’s loose conclusion that the atmosphere at WAYS “allowed and continues to allow access, opportunity, and motivation for ... fraud.” But FCMAT did ***not*** conclude that any such “fraud” actually occurred—because it did ***not***. Not only is WAYS fiscally sound, it is operating at as great or a greater surplus than any other charter school of its size in the entire Los Angeles region.

We take even suggestion of fraud very seriously. Statements like this one in the NOV falsely and recklessly imply to the County Board and to the public—our parents, teachers and students—that financial crimes may have occurred at WAYS, which they have not. ***To be clear for the record, there is not, and has never been, any incident of fraud at WAYS.*** Neither the NOV nor the FCMAT report present *any* factual evidence of fraud. In response to FCMAT’s concern about weaknesses in the WAYS “atmosphere,” we have strengthened our fiscal procedures, restructured some of our key administrative personnel and service providers, and implemented new LACOE-approved internal “checks and balances.” (See Exhibit 17; Exhibit 29; Exhibit 3 [2014 Financial Policies and Procedures Handbook; Independent Contractor Agreement with Jason Okonkwo; Draft Management Contract with Celerity].)

1. The former executive director Kendra Okonkwo has not been employed at the school since April 30, 2011, and therefore cannot have a “conflict of interest” in WAYS transactions

All of the alleged “conflicts” cited in the NOV are related to Kendra Okonkwo and her relatives. The relentless witch hunt of the Okonkwos by LACOE staff is unprecedented, unprofessional and illegal. As noted above, FCMAT informed WAYS that LACOE accused *six* members of the Okonkwo family of fraud and conflicts. (Exhibit 33 WAYS000652.) At the direction of LACOE staff, FCMAT investigated all six individuals even though only three members of the Okonkwo family have ever worked at WAYS. LACOE staff also ordered a private investigator to follow and videotape Vice Principal Deara Okonkwo’s private life on at least *sixteen occasions* outside of school. (See Exhibit 16, WAYS000144; Exhibit 9, WAYS00045 [LACOE “lost custody” of the videotapes before we could review them, and has refused to provide information about who currently has possession of the recordings of Deara,

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yet continues to rely on the unreviewable tapes as evidence].) Neither FCMAT nor LACOE have produced any of the surveillance or background-check records on the Okonkwos to WAYS, so there are some “conflicts” alleged in the NOV that are not supported by any LACOE evidence whatsoever.

LACOE staff’s allegations of Okonkwo family member “conflicts” distract from a simple fact that renders the allegations meaningless: Kendra Okonkwo has not been employed by the school (and does not serve on its board of directors) since 2011—before LACOE even authorized the charter. In the next several paragraphs we respond to the supposed “conflicts” raised by the NOV, but any discussion of Kendra Okonkwo is years-old and irrelevant to the current, proposed revocation of the WAYS charter.

The NOV claims WAYS entered into a self-dealing transaction with Kendra Okonkwo when she leased her property located at 706 E. Manchester Ave. to the school in 2010-2011. WAYS cured any potential conflict as to this transaction when the WAYS board of directors passed a resolution on April 30, 2011 terminating Ms. Okonkwo as Executive Director. (Exhibit 34.) Kendra Okonkwo has not been employed by the school (nor served on its board) ever since. LACOE cannot revoke the WAYS charter for a conflict of interest from 2011. There is no *current* conflict of interest related to Kendra Okonkwo, and LACOE has not suggested otherwise.

Even though there is no *actual* conflict, to cure the *appearance* of a current conflict of interest related to the lease from Kendra Okonkwo, the WAYS board decided to pursue purchase the school site owned by Kendra Okonkwo, thereby removing her from any transactions. Upon advice of counsel, WAYS formed an LLC to purchase the school site at 706 E. Manchester Ave. (Exhibit 35.) This purchase is currently in escrow. In an abundance of caution to prevent any appearance of impropriety, WAYS has used its broker at Cushman Wakefield to negotiate with Kendra Okonkwo (the property owner) on behalf of the School. Cushman Wakefield has provided the WAYS board of directors regular updates at WAYS board meetings. The property was appraised both by the lender and also by an independent appraiser hired by the WAYS Board. The purchase will, we hope, fully and finally resolve any questions about the lease and Kendra Okonkwo.

The NOV also cites an undefined “conflict of interest” related to WAYS’ settlement with Kendra Okonkwo upon her termination. LACOE staff has not explained why they think the settlement could be a “conflict,” since neither Kendra Okonkwo nor any member of her family played any role in WAYS’ decision to settle and the amount of the settlement. We requested evidence from LACOE to substantiate the accusation that there was a “conflict” or the settlement was somehow unfair. (Exhibit 7.) The *only* document LACOE produced was a copy of Kendra Okonkwo’s settlement agreement that *did not even include the material terms*. (Exhibit 36, WAYS000673.) Either LACOE staff is not actually aware of the terms of the settlement agreement, or LACOE staff violated the Public Records Act by its failure to produce the requested documents. Either way, LACOE has not presented “substantial evidence” required for revocation under Section 47607(c)(1) (or *any* evidence) to support its accusation that the settlement amount was improper.

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Although WAYS is not required to offer any further explanation of this personnel matter, we would like to so that the County Board fully understands the circumstances. WAYS entered into the settlement agreement on advice of counsel. As background, we remind the Board of Education that WAYS terminated Kendra Okonkwo *at the direction of LACOE staff as a condition of renewal of the charter*. After WAYS did so, the school received a demand letter from Kendra Okonkwo that asserted a claim of \$480,000 in unpaid salary, unused vacation and sick leave, reimbursement for business-related expenses, and repayment of personal money used in the start-up of the school, as well as other damages for breach of her employment contract. (Exhibit 37.) The school's Executive Director Ed Cabil forwarded Kendra Okonkwo's demand letter to its insurer, Freedom Specialty Insurance Company, and legal counsel for guidance on settlement and coverage. (Exhibit 38.) Upon advice from its insurer and legal counsel for the school, WAYS settled with Kendra Okonkwo for \$228,665.38 (less than half the amount of her claim). (Exhibit 39.) WAYS told LACOE that we were considering the settlement before it was final, and LACOE provided no comment or concern. Yet now, the NOV states that WAYS does not have "proper documentation" to support the settlement. We are unclear what documentation LACOE staff expects to see to second-guess our insurer, insurer's counsel, and WAYS' counsel. As in any settlement, of course, the parties' confidential negotiations that may reveal *how* they arrived at a dollar amount are protected by the attorney-client privilege. The NOV and its exhibits do not contain *any evidence* that the settlement was somehow unsupported or excessive.

2. The contract with OSE Business Services was never a conflict of interest under any California law and was consistent with WAYS' fiscal policies

The NOV mentions that one of WAYS' former service providers—OSE Business Services ("OSE")—is a company owned by a distant cousin of Jason Okonkwo. The NOV claims this relationship created a "conflict" in WAYS' contract with OSE, even though: 1) a distant cousin is specifically *not* the type of familial relationship that creates a conflict under California law; 2) Jason Okonkwo was not even aware of his potential (unverified) relation to the owner of OSE Business Services until he was informed by LACOE staff; and 3) the FPPC has provided Jason Okonkwo a letter dated July 18, 2014 that specifically states there are no conflicts of interest related to Jason Okonkwo.

The NOV, mostly quoting the FCMAT report, states:

"OSE is owned by Obiese Enwezor, who is related to other WAYS vendors: Godfrey Okonkwo, Emeka Enwezor, and DeDe Dance Studio and bears the same last name as the founder/former executive director's brother-in-law, Joseph Njor Enwezor...A document LACOE received after the FCMAT Audit was published provides further evidence that the owner of OSE is the cousin of the Director of Operations/On-Site Financial Manager for WAYS."

The "document" LACOE staff refers to is an obituary announcement for a member of Mr. Enwezor's family. (Exhibit 40, WAYS000693.)

We find it outrageous and disrespectful to the deceased's family that LACOE staff included an *obituary* as "evidence" against WAYS. Moreover, the County Board should be

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embarrassed that LACOE staff believes a copy of an obituary of a distant cousin of a school employee constitutes valid, substantial evidence upon which to revoke a charter.

As this Board is no doubt aware, a conflict of interest under the Political Reform Act (“PRA”) exists when a public official makes, participates in, or influences a governmental decision in which he has a personal financial interest. (Gov. Code, § 87100.) Under Government Code section 1090, public officials are prohibited from being financially interested in any contract made by them in their official capacity. (Gov. Code, § 1090.) Here, Jason Okonkwo was not a “public official” for purposes of the decision to purchase from OSE, as that decision was made by the Executive Director Ed Cabil. More importantly, a “financial interest” only exists under the PRA based on a familial relationship if the decision has a material financial effect on a member of the public official’s *immediate family*. (Gov. Code, § 87103.) The possibility that the owner of OSE is a *distant cousin* of WAYS’ now former Director of Operations Jason Okonkwo cannot have ever been a conflict of interest under the PRA. Likewise, under Government Code section 1090, there is no way Jason Okonkwo could have had any “hope of personal financial gain,” or “monetary or pecuniary” interest, in a service contract of a distant cousin. (See *People v. Honig* 48 Cal. App. 4th 289, 325.) The FPPC affirmed this conclusion in a recent letter to Jason Okonkwo dated July 18, 2014, where it stated it had “closed its file” on any investigation (initiated by LACOE) into a conflict of interest. (Exhibit 10, WAYS000054.)

In short, the NOV’s contention that the OSE contract was somehow a “conflict” due to an obituary LACOE staff found is another desperate attempt to fabricate a claim against the Okonkwo family and a colossal waste of the County Board’s time. It also reveals LACOE staff’s lack of understanding of California’s conflict of interest laws.

Contrary to the assertions in the NOV, the OSE contract also did *not* violate the school’s adopted fiscal policies in place at the time. (Exhibit 19.) Under those policies, a competitive bidding process was only required for purchases in excess of \$10,000. (Exhibit 19, WAYS000211.) The services and supplies provided by OSE were approximately \$7,000 to \$8,000, so even under the letter of the competitive bidding requirement, a bidding process was not required. (Exhibit 41.) The NOV also confusingly states that WAYS violated its policies when it “bounced a check” to OSE, but then states that “A review of WAYS 2011, 2012, and 2013 Wells Fargo bank statements do not indicate any insufficient funds or returned checks.” These statements in the NOV are contradictory. LACOE staff asserts a conclusion (that WAYS violated its policy when it bounced a check) and then concedes that they have no evidence to support it (the record shows no bounced checks). Last, the NOV takes issue with WAYS’ failure to use a purchase order for every OSE order. WAYS’ 2006 adopted fiscal policies (in place at the time) state that “All purchases must be initiated by completing a purchase order. Exceptions may be granted by the School Director or [Director of Operations]...in emergency situations.” (Exhibit 19, WAYS000211.) WAYS’ student enrollment almost doubled from the 2010-2011 to the 2011-2012 school year. (Exhibit 42.) WAYS took over another school at the Salvation Army location just weeks before school started, which forced management to scramble for supplies to equip the new location. To meet this need, WAYS ordered from OSE almost daily for a period of time to stock the new school site. It was precisely the type of emergency situation contemplated by the policy that would enable the Executive Director or Director of Operations to initiate isolated purchases without a purchase order.

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We also note the NOV claims OSE may not be a “legitimate” business. This claim is ridiculous. OSE provided actual supplies and services at market rates to the school for several years. In many instances, OSE helped WAYS avoid disaster by supplying services and supplies in times of crisis that the school would not have been able to acquire otherwise on such late notice. WAYS understands that OSE failed to comply with FCMAT’s investigation of OSE’s “legitimacy,” which is unfortunate. In fact, when the WAYS board learned that OSE had refused to cooperate, it terminated the school’s contract with OSE and WAYS has not worked with OSE since then. (Exhibit 43.) However, WAYS cannot be held accountable for a private business’ unwillingness to cooperate with a school audit.

3. DeDe Dance Studio is a nonprofit corporation that has zero paid employees and utilizes volunteers to provide dance classes for WAYS students; by definition, this is not a conflict of interest

Dede Dance Studio (“DDS”) is a California nonprofit public benefit corporation that was founded by WAYS’ Vice Principal Deara Okonkwo. ***Deara Okonkwo has never been paid by DDS.*** All of DDS’ revenue is used to cover costs of the program including the annual ball for youth, annual retreat/weekend excursion, dance recitals, fieldtrips, and other special events. DDS has no paid employees and uses volunteers to provide its dance classes. DDS was founded by Deara Okonkwo when she was *14 years old* to provide *not-for-profit* dance classes to an underserved community; we are disappointed that LACOE staff could somehow turn this into a reason to revoke the charter.

The NOV states that when WAYS contracted with DDS for after-school dance classes, there was a conflict of interest. There are no facts or evidence of any such conflict. The NOV recites the following facts: 1) Deara is the sibling of the former Director of Operations, Jason Okonkwo; 2) WAYS entered into a contract with DDS to provide an after-school program for WAYS students, which was paid for with After School Education and Safety (“ASES”) Program grant funds; 3) the address for DDS is 706 E. Manchester Ave.—the same building as the school’s address. (The school and DDS each use separate space at the site.)

These facts are unrevealing. WAYS is a *community* school. This alone does not create a conflict. Deara, the founder of DDS, ***has never been paid by DDS.*** This fact alone invalidates any claim of a conflict under California law. The address of DDS is at the school site because DDS provides after-school program services for the students at the school.

The *way* in which the school selected DDS was also proper, contrary to the NOV. DDS was paid roughly \$4,000 per month, which is below the \$10,000 threshold for a competitive bidding process. The school’s Executive Director Ed Cabil chose DDS to perform the services, which was within his purview as the Executive Director. All of these procedures were in accordance with the school’s fiscal policies in place at the time.

It is interesting that the FCMAT audit report questions the validity of the business relationship between WAYS and DDS in part because “the [FCMAT] team did not observe students present in the facility during the fieldwork days.” (Exhibit 16, WAYS000144.) This is because, during FCMAT’s visit, all dance classes had to be cancelled to accommodate FCMAT

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staff in the school's largest room! Ironically, students could not take their regular dance classes because FCMAT was occupying the entire building making findings about students not taking their regular dance classes.

In 2010, LAUSD specifically investigated whether the DDS contract created a conflict of interest for Deara Okonkwo or the school, *and concluded it did not*. In a "thank you" letter to WAYS, LAUSD expressed that "[their] entire team was inspired by the dance activities that [they] observed...Please give a special thank you to Ms. Deara Okonkwo for the outstanding presentation she provided." (Exhibit 44, WAYS000702.)

4. WAYS acquired the van referred to in the NOV by *donation* and did not pay anything in exchange; by definition, this is not a conflict of interest.

The NOV claims there was an alleged conflict of interest when WAYS "paid \$4,800" to Jason Okonkwo's distant cousin Emeka Enwezor for a van that had previously been leased to the school. The truth is, WAYS paid absolutely *nothing* for the van—it was a donation. The NOV also claims WAYS failed to obtain a signed contract and board authorization for the lease of the van. First, as discussed above, the distant familial relationship between Mr. Enwezor and the WAYS former Director of Operations is by definition *not* a conflict of interest under California law. More importantly, the NOV and FCMAT audit report are simply wrong about the amount WAYS spent to purchase the van. Mr. Enwezor graciously *donated* the van, at a *value of \$4,800*, to WAYS on December 31, 2012. WAYS provided no consideration for the transfer. (Exhibit 45.)

The claim that WAYS failed to obtain a signed contract for the van's earlier lease is false. (Exhibit 46.) Also, the fact that the WAYS board did not give prior approval of the van lease is irrelevant because board approval is not required for *all* contracts, especially a contract of such a small value as the van lease of \$400 per month. As previously discussed, the Executive Director and Director of Operations both had authority to enter into certain vendor and other small contracts on behalf of WAYS under the fiscal policies in place at the time. This is the same at all charter schools we know of. WAYS board approval was not required. It is preposterous that a free, donated school van, which only ever cost WAYS \$400/month pursuant to a contract approved by the school's Executive Director, could form the basis for a NOV, let alone a charter revocation.

iv. WAYS Did Not Violate The Law In The Submission Of Its 2012 and 2013 Independent Audit Reports And Has Cured The Immaterial Issues Identified by the WAYS Auditor In Its Attendance Tracking For The ASES Program

LACOE inaccurately claims WAYS violated section 47605(m) because the School turned in its 2012 and 2013 independent audit reports beyond the annual December 15 statutory deadline. WAYS was not late. This claim reflects the lack of communication at LACOE. As evidenced by documents *produced by LACOE itself*, LACOE approved an extension on the deadline to submit the school's 2013 audit report to January 15, 2014. (Exhibit 47, WAYS000710.) WAYS timely submitted its 2013 audit report on the date of the deadline,

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January 15, 2014. (Exhibit 32, WAYS000608). One year earlier, LACOE approved an extension for submission of WAYS' 2012 audit report. (Exhibit 72, WAYS001008.) WAYS timely submitted its 2012 report on December 31, 2012. (Exhibit 31, WAYS000568).

The NOV also cites a portion of WAYS' 2013 independent audit report that claims WAYS failed to comply with the attendance tracking requirements of the ASER program. Specifically, WAYS' sign-out sheets for the program did not include the time students were released from the program and WAYS attempted to claim an indirect cost rate of 5.26% in excess of the 5% allowed under the program. These minor issues were remedied by WAYS as soon as the Auditor notified us, and WAYS is now in compliance with all of the ASER requirements.

We want to point out that this entire section of the NOV—which discusses all of the school's alleged violations of law—is noticeably slim. There are inflammatory words throughout the NOV of “conflicts of interest,” “fraud,” and “misuse and misappropriation of assets,” yet the NOV does not list these as violations of law. This is because *there is no evidence these violations of law occurred*. In fact, the evidence supports *the contrary*. The best “evidence” LACOE has presented is FCMAT's conclusion that “illegal activities may have occurred.”

**b. RESPONSE TO ALLEGATION OF MATERIAL VIOLATION OF
CHARTER (ED. CODE 47607(C)(1)(A).)**

***i. The Ways Board Provided Effective Governance Of The School In
Compliance With WAYS' Authorized Charter***

As mentioned above, it should be noted that WAYS and LACOE staff have not been able to agree on which charter document governs the school: WAYS abides by the document that was approved by the County Board, while LACOE staff believes WAYS is required to comply with additional, unfinalized provisions contained in several different “redlined” versions of the charter. Noticeably, a copy of the school's charter is not included as an exhibit to the NOV. As a result, any revocation of the charter for violation of WAYS charter would raise questions about exactly *which* document was violated.

In terms of general effectiveness of governance at WAYS, we acknowledge there has been some turnover on the WAYS board of directors in the past. We understand board governance at WAYS is a concern for the County Board, and this is a key reason the school's board is considering a contract with Celerity that specifically includes board support and services. The WAYS board has also implemented practices to improve the board's effectiveness: the Executive Director, the Director of Operations, and a representative from the school's back-office services provider all give extensive status reports at every board meeting (Exhibit 27.); even when reports are given orally, hard copies of long reports or reports on important or complex topics, and other supplementary materials, are given to board members (Exhibit 48 [examples are provided but copies of additional reports are available upon request].); at the request of the board or the Executive Director, the Principal and/or Vice Principal attend meetings and provide status reports about the school, students, or other specific topics (Exhibit 49 [examples are provided but copies of additional reports are available upon request].) We have

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carefully and thoroughly addressed LACOE staff's concerns about the WAYS board's role and supervision of the school, and the record demonstrates this issue has been resolved.

Most importantly, one thing the WAYS board of directors has consistently done well is to achieve its key goal: to create an academically successful, financially stable charter school. Due to the board's leadership, WAYS undeniably has financial stability, increased student enrollment, and objective student success.

1. The School's charter does *not* require the formation of a finance committee

The NOV claims as a basis for revocation that WAYS has not established a board finance committee as required under "Element 4: Governance" in its charter. There is no such requirement in the charter or by law. The charter references the existence of a finance committee in Elements 5 and 9, and WAYS has this committee in place. The finance committee is not a board committee or comprised only of board members as the NOV incorrectly assumes. There is no requirement that it be comprised in such way. Rather, the finance committee at WAYS is a working group of the Executive Director, Director of Operations, and back office services provider. They meet regularly to provide guidance and recommendations to the WAYS board in the development and implementation of fiscal strategy and the budget. Among other tasks, the group reviews the monthly financial reports presented to the board from the back-office services provider, and works on development of the annual budget. (See, Exhibit 74.) The WAYS board realizes that the development and implementation of the budget is *critical* to the effectiveness of the school, and the board with the help of the finance group, has consistently maintained financial stability at WAYS over the years. (Exhibit 50.)

2. The Board has adopted a comprehensive Financial Policies and Procedures Handbook and has plans to contract with outside service providers to help with the handbook's implementation

The NOV claims WAYS was uncooperative with LACOE in the revision of its fiscal policies. This is untrue. WAYS has revised its fiscal policies several times with LACOE's own revisions, and has always submitted the final, adopted policies to LACOE staff.

The NOV claims LACOE staff asked WAYS administrators for revised fiscal policies on numerous occasions beginning in November 2011 and never received the requested documents. When we looked closely at the evidence LACOE attached to the NOV in support of this claim, *there are no records to support this claim*. The exhibit attached to the NOV is actually a chain of emails and letters between WAYS and LACOE staff about a notice of investigation related to former board members—not related to revised fiscal policies. (Exhibit 51, WAYS000796.) Recall that the evidentiary burden here is on LACOE, not on WAYS to disprove.

To clarify the chain of events in the adoption and transmission of revised fiscal policies at WAYS, WAYS first adopted and submitted revised fiscal policies to LACOE staff as required under the MOU on January 31, 2013. LACOE responded almost three months later on April 18, 2013 that the policies had been received, reviewed and that staff had some additional recommendations. (Exhibit 18.) The long list of recommendations was included as an

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attachment to the letter, which concluded “If you have any questions, please contact the Controller’s Officer...” Now, over a year later, the NOV takes issue with the fact that WAYS did not respond to this letter. LACOE—and the letter itself—did **not** request a response. WAYS properly considered LACOE’s list of “recommendations” and many are included in the school’s policies and procedures.

As previously discussed, the WAYS board on April 30, 2014 adopted a comprehensive Financial Policies and Procedures Handbook provided by its back officer services provider, Bali Business Management. LACOE staff made direct edits to these new policies, which were adopted by the WAYS board of directors. The handbook’s policies include payroll, purchases, contracts, and budget formation—all issues raised by LACOE staff. To help WAYS consistently and effectively implement these fiscal policies, the school has plans to contract with Celerity. We have discussed with LACOE that both LACOE and WAYS believe this new business relationship can increase the school’s stability.

3. The Board has maintained effective oversight of the financial affairs and ultimate direction of the School

WAYS is operated by the Merle Williamson Foundation, (the “Foundation”), a California nonprofit public benefit corporation. The NOV claims the Foundation should not have amended its 2002 bylaws without LACOE staff’s express approval. However, subject to any prohibition in the school’s charter or the bylaws themselves, the Foundation may, by law, amend its bylaws at the discretion of the Foundation’s board of directors to better facilitate the purposes of the corporation. Further, in the NOV, LACOE staff quotes *its own staff report* from May 10, 2011 that *recommends* amendment of the 2002 bylaws. The staff report criticizes the Foundation’s 2002 bylaws for not allowing effective governance of a public charter school. In fact, by the time of that staff report, the Foundation had *already amended and cured its bylaws* effective March 16, 2011.

Now, the NOV takes issue with the Foundation’s new bylaws, specifically that they have somehow limited the WAYS board’s authority to approve contracts. The Foundation’s current bylaws explicitly state that “the corporation’s activities and affairs shall be managed, and all corporate powers shall be exercised, *by or under the direction of the Board of Directors.*” (Exhibit 52, WAYS000804.) These powers of the board are not narrowly limited, and are consistent with other charter schools’ bylaws authorized by LACOE. There is nothing in the California nonprofit corporation laws, the school’s charter or its fiscal policies that would require the bylaws to state that WAYS board approval is needed for *all* contracts, as suggested in the NOV. Such a requirement is unheard of. It is our understanding that no other charter school authorized by the County Board has such a requirement. In fact, “Oversee the school-operating budget, *authorize spontaneous and ongoing daily expenses as necessary* and maintain robust fiscal vitality” is specifically included in the School’s charter under the job description for the Executive Director.

The WAYS board exercises its oversight powers and has in fact been active in reviewing and approving the school’s major contracts. For instance, contrary to the assertions in the NOV, the WAYS board did grant prior approval for the installation of the central air and heat system. (Exhibit 22.) The Director of Operations’ statements to the Board at the July 31, 2012 meeting

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are misquoted by LACOE staff in the NOV. WAYS Executive Director Ed Cabil signed and dated the proposal from the contractor on August 3, 2012, which is 3 days *after* the Board approved the contract at a special meeting. (Exhibit 22.)

Regarding the board's approval of the Salvation Army facility lease, the original lease between WAYS and the Salvation Army was approved by the Board on August 10, 2011 and signed on August 25, 2011. (Exhibit 53.) The terms of the lease have remained substantially unchanged over the years, except for a small rent increase. Each year, renewal of the contract has come before the WAYS board for information. As Executive Director, Ed Cabil had the authority to execute the lease agreement renewals on substantially the same terms as the board-approved document. On February 3, 2014—at the request of LACOE staff that the WAYS board begin approving the Salvation Army lease renewal *before* execution by the Executive Director—the WAYS board ratified the school's present lease of the facility. (Exhibit 54.) The WAYS board will approve the next renewal of the Salvation Army lease prior to execution.

The NOV mischaracterizes the purchase and sale of a school vehicle. In a report to the WAYS board at a meeting on July 31, 2012, Executive Director Ed Cabil recommended that WAYS lease or purchase a vehicle for use in the operations of the school. The board of directors unanimously approved a *written resolution* that authorized “the Executive Director or his designee to enter into a lease or purchase agreement for a vehicle for school use...” (Exhibit 55.) LACOE staff claims they listened to the audio recording and concluded that the board's language did not authorize an *actual purchase*, but only to “look into” the purchase. LACOE staff cannot claim that an audio recording trumps official corporate records. The written, executed board resolution (attached) is evidence of the board's action, and the board authorized the purchase of a vehicle.

More than a year after the vehicle was purchased and used, the Executive Director determined the school no longer needed the vehicle for daily operations and should sell it. Executive Director Ed Cabil instructed the Director of Operations to research vehicles of the same year, make, and model and with similar mileage to estimate a fair sale price, and the Director of Operations did so. The school sold the vehicle for a fair price based on the research, and the WAYS board of directors ratified the sale at its February 2014 meeting. (Exhibit 56.) The NOV quotes a portion of the FCMAT report that claims the sale of the vehicle “resulted in a loss” to the school. We have *explicitly* asked for, but have not been provided any information or evidence about *how* FCMAT or LACOE could have possibly accurately calculated this “loss”. How did FCMAT or LACOE determine the depreciation for the vehicle? Did FCMAT or LACOE consider the vehicle's condition, mileage, location, or market? WAYS did not violate any law or the charter in its reasonable, researched sale of the vehicle. And importantly in this context, LACOE has not provided any evidence to support revocation.

The NOV also claims school's Executive Director improperly hired Wilkinson, Hadley, King & Company, LLP as WAYS' 2013 independent auditor before approval by the WAYS board. The NOV implies that the WAYS board did not even have *knowledge* of the auditor's selection prior to the Executive Director's execution of the auditor's contract, which is not true. The Executive Director informed the entire WAYS board on October 23, 2013 that the school's former auditor had raised its prices to a number that unaffordable for the school. (Exhibit 57.) In order to save the school nearly \$6,000, the Executive Director accepted a proposal from the

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new auditors' firm and informed the board of his decision. While we understand the WAYS board could have preapproved the auditors' contract, and will do so in the future, we note the board did ratify the Executive Director's decision by resolution on February 3, 2014. (Exhibit 58.)

The NOV also states there is "no evidence" that the WAYS board approved the employment contract for the Executive Director, Director of Operations, Principal, Vice-Principal, and all other WAYS staff. We note that California law does not require a charter school's board to approve all employment contracts; and in fact, employment attorneys regularly advise that boards should *not* do so. The WAYS board approves the contract for the Executive Director. (Exhibit 59.) See, attached, the renewal of the Executive Director's current employment agreement. It is the Executive Director's responsibility to supervise and evaluate the teachers and classified staff—not the board's responsibility. (Exhibit 60, WAYS000886.) The Executive Director properly kept the WAYS board informed about staff employment contracts by including an update on their development in his regular report to the board of directors. (Exhibit 61.)

4. The Board oversees the development of the annual budget and provides timely approval

The NOV incorrectly claims the WAYS board failed to approve the 2013-2014 final budget before it was submitted to LACOE. The budget that WAYS submitted to LACOE on July 3, 2013 was the school's *preliminary budget*, not the final budget for the upcoming school year. Board approval of the *preliminary budget* is not required before submission to LACOE. In fact, WAYS' policy about budget preparation and implementation directed the Executive Director to review the preliminary budget with the Director of Operations, to ensure the priorities of the school are accurately reflected before approval by the board. (Exhibit 19.) The *preliminary budget* is the responsibility of the Executive Director and the finance working group (committee). Only the final budget requires WAYS board of directors' approval. That is a rather common business practice state wide.

The budget was presented to the WAYS board of directors and approved on August 29, 2013. (Exhibit 62.) During the meeting, there was a question from a WAYS board member about a specific line item that had changed from the previous year. The NOV contends this question should have been answered before the budget was approved, but whether or not to approve the budget is not LACOE staff's decision. The school's back office services consultant was unprepared to answer the question on the spot, so the WAYS board, exercising its oversight in development of the budget, directed the line item to be restored to its previous number and approved. The change in the line item is reflected in the minutes of that meeting, which were unanimously approved at the subsequent WAYS board meeting on October 24, 2013. (Exhibit 63.)

5. The Board did not authorize any improper expenditure of School funds

The NOV alleges that the performance-based stipends paid to WAYS teachers and staff were not supported by proper "criteria or documentation". It is unclear what type of "criteria or

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documentation” LACOE believes is necessary, and the NOV does not specify. In fact, the modest stipends (most around \$500) were approved by the WAYS board on February 27, 2014 after a report from the Executive Director. (Exhibit 64.) As outlined in the report, these stipends were for performing extracurricular tasks, taking on leadership roles, and maintaining good attendance habits that are above and beyond what is required. The Board was fully informed about the criteria and evidence the Executive Director used to make the recommendation. In fact, the audio recording from the meeting shows that when Board member Espinoza questioned the criteria used for the stipends, Mr. Cabil gave a specific example of the unpaid time and effort the teachers have expended, stating “We need to have book fairs, for example. Teachers who come forward and volunteer their time, it’s not a paid position, they spend a lot of time.” The stipends were a proper expenditure of public school funds as a form of compensation. LACOE staff also draws an incorrect conclusion that the WAYS board’s approval of the stipends was a Brown Act violation, yet does not provide any explanation.

If any party here has misused public funds, it is the LACOE staff. LACOE paid a private investigator \$18,000 to secretly trail the school’s Vice Principal Deara Okonkwo for a period of *several months*. The investigator took video footage of Deara, which is a violation of her constitutional right to privacy and her federal civil rights, and LACOE staff has now apparently “lost custody” of this video footage. We believe there is currently a pending claim against LACOE for that misconduct. We see no “public purpose” for LACOE to spend school money to violate an individual’s privacy and civil rights. We also note the months-long private investigation did not uncover a single violation of law. We believe LACOE staff also misuses public money when it hires armed bodyguards every time a LACOE staff member visits our elementary-aged children at the School. (Exhibit 65, WAYS00913.) WAYS is a safe, secure environment for children and the expenditure of public funds to hire gun-wielding bodyguards for LACOE staff is improper, unlawful, and disrespectful to WAYS board, staff, parents, students, and entire South Los Angeles community.

6. The Board has approved a comprehensive set of school policies

The NOV claims that WAYS has not approved and implemented school policies. LACOE’s statement is utterly incorrect and totally unsupported by the evidence. The only “evidence” of this in the NOV is a reference to an email from a former WAYS board member (who LACOE is aware was removed from the WAYS board) stating her concern that the school had not adopted specific policies. That former board member was wrong. To the contrary, the WAYS Board has adopted policies as necessary for the effective operations of the School. (Exhibit 73 [attached is a full set of WAYS policies currently in place, besides the aforementioned Financial Policies and Procedures Handbook which can be found at Exhibit 17].) As required under the MOU, WAYS submits all of its approved policies to LACOE staff. As always, the school’s full set of board-approved policies is available for review, which we believe are sitting on a shelf in LACOE staff’s offices right now.

7. The Board has held meetings almost every month since LACOE became the charter authorizer

Over the past 3 years, the WAYS board has in fact held meetings at least once each month as required under its bylaws for nearly every month. There were a few months when the

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board did not meet, but there were many other months where the board met multiple times. (Exhibit 27.) The NOV blames the Executive Director for not ensuring that the Board meets regularly to fulfill its fiduciary obligations to the school, but they fail to mention that the Board *did in fact meet almost every month*. The NOV also states that the school has not published a schedule of regular meetings. Every year since LACOE's authorization of WAYS, the Board has published a schedule of regular meetings, including most recently at the meeting on July 9, 2014 when the WAYS board approved the next year's schedule of regular meetings. (Exhibit 67.) This new schedule is, of course, available to the public and will be provided to parents, teachers and staff. It is also provided to LACOE staff.

ii. The Board Provided Adequate Oversight Of The School Management Personnel

The NOV makes broad claims that WAYS violated the Employee Qualifications element of its charter. This revolves around the duties of the Executive Director and the Director of Operations. As previously mentioned, former Director of Operations Jason Okonkwo is no longer an employee of WAYS, and the search to fill the Director of Operations position is underway. Additionally, Executive Director Ed Cabil will soon be replaced. The WAYS board of directors has already interviewed the top candidates, one of whom we expect will fill this role. To be clear, neither the Executive Director nor the Director of Operations violated the law or their employment at the school. In both cases, the decision to leave WAYS was mutual by the WAYS board and the employees.

1. The current WAYS Executive Director has increased financial stability, enrollment and parent involvement at WAYS

The NOV claims that the Executive Director violated his duties as specified in the charter. First, we note that the exact description of these duties in the charter has been one of the issues in the arbitration to determine what charter document governs WAYS. Second, any contention in the NOV that the Executive Director has been ineffective is countered by other portions of the NOV that chronicle his consistent and effective involvement with school operations. The Executive Director has overseen the school's business practices, instructional program, and classroom management—as described in his job description. He has given an oral report at every meeting of the WAYS board, consistently informing the board of his operational supervision of the school. (Exhibit 48.)

The NOV discusses the relationship between Mr. Cabil and the former WAYS board president Ms. Carol Tolbert as if it is somehow a violation of law or the school's charter sufficient for charter revocation. Executive Director Ed Cabil had significant concerns with Ms. Tolbert as did many other members of WAYS staff, parents, and the WAYS board itself. Contrary to the statements in the NOV, the Executive Director did not “remove” Ms. Tolbert from the board—the WAYS board of directors did so. The School Site Council (which is the school's parent association) recommended to the WAYS board that Ms. Tolbert be removed as a board member. The Council is organized and directed by the school principal, made up of WAYS parents and staff, and is generally tasked with assistance in the development of the educational program at WAYS. As parents and staff of the school, members of the Council were well within their rights to make a recommendation to the board. The Council did not make the

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“decision” to remove Ms. Colbert, the WAYS Board did so. (Exhibit 68, WAYS000925.) The NOV cites the Council’s recommendation as if it shows ineffective governance at WAYS. In fact, the involvement of the School Site Council shows that the school *effectively* engages parents, who are actively involved and heard in school governance. The Charter School Act itself *requires* such involvement. (Ed. Code 47605(b)(5)(D).) The recommendation, made by the Council and communicated to the board by the Executive Director, was proper and cannot serve as grounds for a charter revocation.

2. The former Director of Operations provided strong leadership and balance to the School with his knowledge and passion for education

In this section of the NOV, LACOE staff again discusses the purchase and sale of the school vehicle in 2012 and 2013. The NOV also again notes the relationship between WAYS and OSE. LACOE staff also misquotes a report made to the Board regarding the performance-based stipends. Executive Director Ed Cabil presented that report—not the former Director of Operations.

Confusingly, the NOV also cites the approval of the 2013-2014 budget as if the Director of Operations did something unlawful. The Director of Operations transmitted the school’s preliminary budget to LACOE on July 3, 2013 as required under the MOU, the school’s charter, and California law. The budget was then approved by the board on August 29, 2013 as evidenced by the board’s minutes, including the revision made to the questioned line item (discussed above). The minutes from the August 29, 2013 meeting were approved at the next board meeting on October 24, 2013. This is the standard timeline and procedure for getting the annual budget approved, and the Director of Operations properly implemented this timeline.

c. CONCERN REGARDING THE GENERAL CAPACITY TO OPERATE A CHARTER SCHOOL

With respect to general capacity, we note the WAYS board of directors is comprised of respected community members with decades of experience in education and business. Our current Board is very strong and we are recently expanded our board to acquire new talent, ideas, and experience from members in the community. Each board member takes the Oath of Office upon membership, which requires the member to commit to enhancing their own individual education for the overall benefit of the school. (Exhibit 69.) Board members attend retreats together where they bond as a cohesive unit, discuss strategies for future school success, and ensure that WAYS is adhering to its mission and goals. (Exhibit 70.) The WAYS board also receives comprehensive trainings from legal counsel on specific issues like Brown Act compliance, conflicts of interest, and best practices for charter school management. (Exhibit 71.) WAYS board members understand their rights and responsibilities as fiduciaries of the school, and each one takes that responsibility to heart. The WAYS Board has consistently provided

necessary oversight and guidance that has allowed the school to prosper, and with support from Celerity, we believe this will continue to improve.

We look forward to discussion of any of these issues with the County Board, as well as LACOE staff and Superintendent Delgado.

Sincerely,



Armando Espinoza

Board Chair, WAYS Board of Directors

EXHIBIT 3

WISDOM ACADEMY FOR YOUNG SCIENTISTS

September 23, 2014

Members of the Los Angeles County Board of Education
c/o Superintendent Arturo Delgado
Los Angeles County Office of Education
9300 Imperial Highway
Downey, CA 90242

Re: Proposed Issuance of Notice of Intent to Revoke to Wisdom Academy for Young Scientists ("WAYS")

Dear Members of the Board of Education:

You are considering a Notice of Intent to Revoke ("NIR") the WAYS charter, which your staff approved in arbitration **less than two weeks ago**. WAYS is one of the last community-based charter schools in South Los Angeles, and among **the highest performing** public elementary schools in all of South LA. WAYS is among **the most fiscally-sound** charter schools in the entire region, and has the **highest asset-to-debt ratio** (average of 12:1) of any other LACOE-authorized school. The WAYS Board has consistently achieved its key goal—to operate an academically successful, financially stable charter school. Despite LACOE staff's repeated complaints that WAYS is "mismanaged" by particular individuals, the school undeniably has financial stability, increased student enrollment, and objective student success. It would be a grave mistake to revoke the WAYS charter based upon the demonstrably incorrect or irrelevant allegations presented to you today in the staff report. **If you have not fully read and analyzed our July 31, 2014 response and evidence, we urge you to abstain from casting a vote on this matter.**

In response to the Notice of Violation ("NOV"), WAYS provided a comprehensive response along with three binders of evidence that refuted each and every point raised by your staff. We provided electronic copies to each of you individually and urged you to review the evidence. We provided abundant evidence that there are no current, uncured violations of law or charter at WAYS and that the "evidence" in support of LACOE staff's claims in the NOV was woefully insufficient to form the basis of a revocation. We realize that this process has become very document-heavy, but it is imperative that you read WAYS' responses and review the exhibit binders carefully to understand why issuing the proposed NIR would be a huge mistake, not only because it would violate the revocation standards in the Charter Schools Act, but also because of the destructive impact it would have on our young students from South LA. You are well aware that there is no comparable school, either academically or socially, for our students to turn to. Approving the NIR would mean you are dumping our students back into schools that failed them—schools that are undeniably inferior to WAYS's academics and opportunities.

WAYS Is the Highest Performing Public Elementary School in the Community.

In terms of 2013 growth API score, WAYS academically outperformed **all** 19 public schools that are within a three-mile radius of the WAYS East Manchester campus. (Exhibit 1.)

Salvation Army Campus
7651 S. CENTRAL AVE.
LOS ANGELES, CA 90001
Phone: 323-537-8194
Fascimile: 323-537-8209

Manchester Campus (Official Mailing Address)
706 E. MANCHESTER AVE.
LOS ANGELES, CA 90001
Phone: 323-752-6655
Fascimile: 323-752-6644

Kinder Campus
8778 S. CENTRAL AVE
LOS ANGELES, CA 90001
Phone: 323-589-6500
Fascimile: 323-589-6550

With a 2012-2013 growth of 54 API points, WAYS was one of only six schools in this radius with a positive growth last year, and one of only four to meet their growth target. WAYS is academically outperforming every school in the area that our students would be forced to attend if the charter is revoked. If the County Board revokes the charter, it would do severe damage to the ability of these young students to maintain their positive academic growth and improve their quality of life.

WAYS is Among the Most Fiscally Sound Charter Schools In the Region.

The proposed NIR repeatedly implies, incorrectly, that the school is so severely fiscally mismanaged that it needs to be shut down. If that were the case, the school's accounting books and records would reflect that. Instead, a quick look at the school's financial snapshot reveals that the school has among the highest asset-to-debt ratio of any charter school in all of Los Angeles. **This fact is undisputed by LACOE staff.** The school's average ratio (the ability to pay current liabilities when due) of 12:1 is six times higher than the industry goal of 2:1. The school's coverage ratio of total debt to total assets is 9%, meaning the school can withstand losses in the future without worrying about inability to pay its bills. This fact demonstrates a history of sound fiscal management, and completely refutes the LACOE staff's claim that the WAYS Board is unfit to monitor the school's assets and fiscal status. Not only has the WAYS Board continuously guided the school to solid financial ground, it has consistently been one of the better-managed public schools in all of South LA.

We want to reiterate that WAYS has long been subjected to unfair treatment and retaliation from the LACOE Charter School Office. This is not an attempt to confuse the issues, this is a fact. We provided evidence of numerous examples of unfair treatment in our responses to the NOV, including the egregious example of the initiation and completely improper use of the FCMAT extraordinary audit procedures afforded to charter authorizers. LACOE initiated the FCMAT audit at least in part to target and publicly persecute the Okonkwo family, which LACOE staff strangely calls a "false and offensive" claim. One short glance at the FCMAT intake form, **which was prepared by LACOE staff**, clearly identifies the "Okonkwo family" as "suspects" to be investigated for "conflicts of interest" and "conspiracy." (Response to NOV Exhibit 13, WAYS000063.) An audit of a charter school should not include an investigation for "conspiracy"—an allegation of criminal activity with personal ramifications beyond the scope of a charter revocation. FCMAT informed WAYS that it performed private background checks on *six* members of the Okonkwo family even though only Kendra, Jason, and Deara Okonkwo have *ever even* worked at the school. A brother and sister working together at a charter school is not a crime, and LACOE and FCMAT should not be spending their time acting as investigators of LACOE staff-contrived criminal accusations.

No Evidence Whatsoever of Misappropriation or "Fraud"

Despite their extensive investigation of WAYS, the FCMAT team was unable to find any evidence of fiscal mismanagement or "fraud". In fact, the school continues to remain in a superb financial position. The audit report was based upon and contained demonstrably false and unsupported allegations (**not** "findings") that circle back to information provided by LACOE staff. Entire pages of the NOV were block quotes taken directly from the FCMAT report despite the fact that the only recommendation from FCMAT was that fraud and misappropriation of

assets *may* have occurred. **There is no evidence that it actually did occur—and LACOE does not contend otherwise.** Even LACOE Controller Zak Memon recognized in his report to the WAYS Board in April that FCMAT did *not make any factual finding of mismanagement or “fraud” at WAYS*. Staff refuses to admit that FCMAT’s single conclusion is not substantial evidence sufficient to revoke a charter. LACOE went above and beyond to investigate not only the school but members of the Okonkwo family that are not even affiliated with WAYS. LACOE staff was assuredly disappointed with the single recommendation from FCMAT, but the facts are facts—there are no uncured violations of law or charter at WAYS.

We previously pointed out that Education Code Sections 47607(d) and (e) require LACOE to provide the school with a “***reasonable opportunity***” to remedy the alleged violations. After reviewing our responses, staff correctly found in the NIR that “specific issues were remedied” at WAYS. Despite this, staff then bases their entire recommendation for revocation on the theme that “there is no evidence of ***systemic*** change.” The NIR refers to many of the school’s solutions as “partial remedies” because they do not “ensure they will be followed” permanently. The NOV was issued on June 3, 2014 and WAYS was required to submit its responses and evidence of remedial measures taken and proposed by July 31, 2014. It would be impossible for any school to implement “permanent, systemic” change in such a short period of time, let alone during the summer break when the students and almost all staff are gone. Requiring “systemic” change in a short, two-month period during the school’s summer break is not providing a *reasonable opportunity* to remedy. Instead of allowing the successfully implemented remedies to naturally create permanent change, staff moves full speed ahead in seeking revocation of the school’s charter. The County Board should be concerned that staff is recommending revocation based upon this odd, and entirely new basis.

The County Board should also be cautious about the proposed NIR because it is based in part on **new** allegations and **new** information that were not part of the NOV. For the first time in this revocation process, LACOE brings up an alleged incident where WAYS staff did not comply with the Board President’s directive regarding paying off the loan for a school vehicle. LACOE criticizes the Board’s failure to “discipline the employees” for failing to provide the Board with “sufficient information” about the loan and the vehicle. This is a brand new allegation. Not only does the NIR contain new allegations, LACOE also included many new exhibits that were not part of the NOV. Just six days ago, LACOE staff delivered a large banker’s box full of their new exhibits that included hundreds of pages of documents. WAYS was not given adequate time to review these documents, let alone any time to adequately prepare a response to the accusations. It is fundamentally unfair for the LACOE staff to recommend charter revocation based on these new allegations when WAYS was not given any prior notice or opportunity to respond.

LACOE Staff Approved the Charter Revisions Less than Two Weeks Ago that it Now cites as basis for Revocation.

In a shocking and impermissible violation of WAYS’ due process rights, LACOE started this revocation process while LACOE was still in arbitration concerning the terms of the charter petition that are cited as bases for revocation. The proposed NIR contains complaints about the revised charter that **LACOE staff approved less than two weeks ago**. (Exhibit 2.) The proposed NIR complains that the job description in the new charter for the Director of

Operations “results in a lack of necessary checks and balances.” This job description was a point of contention between WAYS and LACOE but both sides eventually reached an agreement last month. Deputy General Counsel Courtney Brady explicitly stated that LACOE “can agree to the job descriptions” in the charter, including the exact description for the Director of Operations that is cited as a concern in the NIR. (Exhibit 3.) Staff also complains that the revised job descriptions in the revised charter (approved by LACOE staff) contradict those in the school’s new fiscal policies and procedures. The ink on the arbitrator-ordered petition hasn’t even dried yet, and staff is already complaining about it. This year-long arbitration process resulted in a charter petition document that both sides agreed to live by—that was the point. It is absurd that LACOE staff is recommending revocation of the charter based upon provisions LACOE explicitly approved and were ordered less than two weeks ago.

The proposed NIR contains just as many demonstrably false allegations as the NOV. We would like to point out some of the glaring examples of the NIR’s false statements in the hope that the County Board will see that there is simply no legitimate basis to support a charter revocation under California law:

- (1) ***“WAYS does not dispute that it failed to follow GAAP.”*** This is an odd statement for staff to include in the NIR, because it is obviously not true—*of course* WAYS disputes that. An entire section of our item-by-item response to the NOV refuted every basis for staff’s allegation that WAYS fails to follow GAAP. We outlined all of the remedial steps taken to ensure that GAAPs are followed, which included implementing new fiscal policies and procedures, recruiting new management personnel to strengthen internal controls, employing a reputable charter school back office service provider, and pointing out that there are no conflicts of interest at WAYS. Apparently ignoring the almost eleven pages and sixteen exhibits dedicated to disputing this allegation, staff proclaims in the proposed NIR that this “finding stands” and that “itself is evidence of fiscal mismanagement.” These are circular, conclusory statements with no supporting evidence, which highlights staff’s ignorance about the responsive remedial measures already in place at the school.
- (2) ***“WAYS partially remedied conflicts of interest involving the Founder/Former Executive Director.”*** There cannot be a current conflict of interest with an individual who is no longer in any way affiliated with the school. Kendra Okonkwo has not been employed by WAYS since 2011—before LACOE even authorized the charter—and never served on the board of directors. Any discussion about a conflict involving Kendra is years old and completely irrelevant to the current, proposed revocation of the WAYS charter. Staff points out that the pending purchase of the school site owned by Ms. Okonkwo is a transaction in which she “would materially benefit” but fails to recognize that **it doesn’t matter**. A “conflict of interest” requires the individual to be an officer, employee, board member, or hold some other official position with the school. Ms. Okonkwo is none of those. WAYS decided to purchase the property to appease LACOE staff by curing any *appearance* of wrongdoing. Now, staff is using that fact to wrongfully imply that the school is entering into an unlawful

transaction. WAYS **fully** cured any conflicts of interest regarding Ms. Okonkwo long ago, and any alleged current conflicts do not and cannot exist.

- (3) ***“The WAYS Board Did Not Develop Adequate Fiscal Policies.”*** LACOE staff, including the Executive Director of LACOE Business and Finance, Patricia Smith, participated in revising the Financial Policies and Procedures Handbook, making numerous suggestions that were ultimately included in several of the policies and procedures. The NIR points to the length of time it took WAYS to revise and approve its new fiscal policies as if that is a violation of law or the charter. WAYS recognizes the importance of having effective fiscal policies, so the school did not want to rush the revision process. Ultimately, it was LACOE’s constant pressure to be heavily involved in the revisions that led to the extended length of the process. In the end, WAYS adopted a comprehensive set of fiscal policies and procedures that were reviewed and revised by several LACOE staff members. It is unfair to now claim that these policies are somehow inadequate.

1. Response to Allegation of Failure to Meet GAAP or Engagement in Fiscal Mismanagement (Ed. Code, 47607(c)(1)(C).)

a. Alleged Lack of Internal Controls

Most of the LACOE staff’s arguments rely on their assertion that WAYS’ new fiscal policies and procedures are inadequate, which we discussed above is unfair since LACOE staff had direct input in revising the handbook. The staff again cites several contracts and transactions claiming that the school’s board should have approved each and every one beforehand. Noticeably, LACOE does not point to any language in the law, charter, or the school’s fiscal policies that requires this practice. Instead, the NIR just conclusively considers it “evidence of a lack of internal controls.” Nothing in the law, charter, corporate bylaws, or in the fiscal policies expressly requires the WAYS board to give prior approval to each and every transaction the school enters into. That would necessarily divert the attention of these volunteer board members from more important tasks, like defending the school against the constant onslaught from LACOE staff. The board should not be required to meddle in the day-to-day operations of the school, which is the purview of the executive director who has authority to enter into most contracts and approve most purchases without prior Board approval. Our responses to the NOV provided evidence that the WAYS board approved or ratified each questioned contract and transaction, which evidences the Board’s proper oversight of the school’s activities and affairs.

Part of the NIR’s concern with internal controls centers on the lack of evidence that WAYS’ new policies and procedures have been implemented. LACOE staff previously cited the lack of fiscal policies as their main concern, which WAYS remedied with the adoption of the new handbook. Now the staff is turning their focus to “implementation” of these policies, yet fails to realize that full implementation of WAYS’ new comprehensive handbook cannot be accomplished in such a short time. This is a **new** alleged violation, but LACOE staff does not provide any guidance on how WAYS can cure or remedy. Regardless, this is a new concern put forth by LACOE and it would be fundamentally unfair for the County Board to issue the NIR based on any new allegations or information that WAYS was never given the proper notice and opportunity to remedy.

b. Alleged Engagement in “Related Party Transactions” and “Conflicts of Interest”

The NIR characterizes several transactions at WAYS as “related party transactions” yet fails to mention that this is **not** a violation of any law. “Related party transactions” is a phrase associated with GAAP. There is **no prohibition** in the GAAP or under any law on entering into transactions with related parties. In any event, the “transactions” that alarm LACOE staff involve siblings who are both employed at the school.

LACOE staff continues to discuss the founder’s past affiliation with the school as if it has any relevance to the current revocation proceeding. LACOE cannot revoke the WAYS charter for a conflict of interest from 2011. We have already discussed the **fact** that a current conflict of interest cannot exist because Ms. Okonkwo is not affiliated with the school in any way. It is completely wrong for staff to mischaracterize WAYS’ lease with OCI Development Corporation (Ms. Kendra Okonkwo’s lease management company) as a conflict of interest.

The NIR also states that “WAYS fails to remedy” the “related party transaction and conflict of interest” regarding the settlement agreement between WAYS and Ms. Okonkwo and the wrongful termination lawsuit brought by a former WAYS teacher. LACOE has not provided any legal authority that warrants characterizing these as conflicts of interest. Rather, it seems like LACOE staff mentions these past events to shift the County Board’s focus by painting the Okonkwo family in a bad light. In fact, the NIR also dedicates almost an entire page to discussions about WAYS’ business relationship with OSE Business Services, implying that the school’s former Director of Operations Jason Okonkwo engaged in another conflict of interest, which is furthest from the truth. We previously provided evidence that WAYS has terminated the contract with OSE and will no longer be utilizing their services. The owner of OSE reserved his right to not participate in the FCMAT audit of WAYS, so WAYS ended that relationship. That is a complete and full remedy of the alleged violation.

It was refreshing to read that “LACOE agrees there is no conflict of interest” regarding WAYS’ Vice Principal Deara Okonkwo’s founding of the DeDe Dance Studio (“DDS”). However, that refreshment was short-lived as LACOE staff continues to imply that this “related party transaction” is somehow wrong or unlawful. DDS is a nonprofit public benefit corporation that provides after school dance classes to young students in an underserved community of South Los Angeles. All of DDS’ revenue is used to cover costs of the program including an annual ball for youth, annual retreat/weekend excursion, dance recitals, fieldtrips, and other special events. **Deara has never been paid by DDS.** The services provided to the WAYS students by DDS have been extraordinary and life changing. We are disappointed that LACOE staff continues to try and somehow turn this into a reason to revoke the charter.

The NIR also fabricates another conflict of interest, this time regarding the school’s van that was donated in 2012. Even if a conflict existed when the school was leasing the van before 2012, which there was not but we will ignore that fact, any *appearance* of conflict was cured when Mr. Enwezor graciously donated the van to WAYS on 12/31/2012. (Response to NOV Exhibit 45, WAYS000704.) While it is true that Jason Okonkwo is identified as a registered co-owner on the van’s Certificate of Title for purposes of operations, the school is not paying for the use of the van. WAYS has not entered into any contract nor made any payments to use the van

since 2012 so there cannot be a current conflict of interest. The school now owns the van and uses it free of charge, so any alleged violation associated with it has been fully remedied.

c. Alleged Violations of Law

Again, we would like to point out that this section of the NIR is just as slim as it was in the NOV. LACOE staff has thrown countless accusations at WAYS of conflicts of interest, fraud, and misuse and misappropriation of public funds, yet the NIR does not list these as violations of law. This is because *there is no evidence these violations of law occurred*. In fact, the evidence supports *the contrary*. The best “evidence” LACOE has presented is FCMAT’s conclusion that “illegal activities may have occurred.”

We provided evidence that the school went directly to the State Controller’s Office and received an extension for submitting WAYS’ 2012 independent audit, although LACOE claims the SCO does not grant such extensions. We have remedied this alleged violation by following the “proper extension procedure for submitting [our] 2013 Audit” as LACOE acknowledges in the NIR. In regards to the ASES program, WAYS cured the alleged violations as soon as the auditor pointed them out. The NOV was issued during WAYS’ summer break so the after school program was obviously not in session. WAYS has cured these minor violations and they are no longer an issue.

2. Response to Allegation of Material Violation of Charter (Ed. Code 47607(c)(1)(A).)

a. Alleged Failure to Exercise Fiscal and Institutional Control

One thing the WAYS Board has consistently done well is to achieve its key goal—to create an academically successful, financially stable charter school. Despite LACOE staff’s repeated complaints that WAYS is somehow mismanaged, the school undeniably has financial stability, increased student enrollment, and objective student success. While the Board may have had turnover problems and other issues in the past, the overall outlook of the school is a clear indication that the Board does have fiscal and institutional control of the school, which has led to the success of WAYS and its young students.

We stated in our responses to the NOV that the Executive Director, Director of Operations, Bali Business Management, or other members of the administration give regular reports, some written and some oral, at all Board meetings. We provided examples of such written reports but staff somehow finds that insufficient. LACOE can only point to a handful of agendas over the past 4 years that indicate one of the administrators did not give a report. Staff claims that this is somehow evidence of the Board’s overall failure to exercise institutional control.

Despite the clear evidence that the WAYS Board has provided effective oversight of school activities, WAYS has decided to strengthen its Board by recruiting new members from the community. It is very difficult to recruit volunteers who are willing to serve on the board of a nonprofit charity, let alone a South LA charter school. LACOE takes issue with one of our new members, Diana Miketta, because she does not have any previous experience serving on a nonprofit Board. Staff overlooks the fact that Ms. Miketta has over 7 years of experience in the

field of education as well as a master's degree in school psychology. She brings valuable energy and experience to the Board that LACOE staff apparently does not appreciate. Our Board has also recently received training on several charter schools topics from the school's legal counsel on September 17, 2014. The training included topics such as Brown Act compliance. A training scheduled this week will focus on finances, conflicts of interest, and board best practices. With the new perspectives provided by our new Board members and the training provided by our legal counsel, the WAYS Board will continue to provide effective oversight that will allow the school to remain strong both fiscally and academically.

b. Alleged Violation of Charter Element 4: Governance

LACOE staff continues to claim that WAYS was required to establish a formal finance committee under its charter and fiscal policies, which is still untrue even with the newly adopted charter. The mere mention a finance committee in the charter and fiscal policies does not create a requirement that it be a formal board committee. Rather, as we described in our responses to the NOV, the "finance committee" at WAYS is a working group of the Executive Director, Director of Operations, and the back office services provider. This is consistent with our new fiscal policies and procedures handbook that describes the committee as "the Executive Director's Finance Committee." (Response to NOV Exhibit 17, WAYS000168.) These individuals are the best equipped to provide the oversight required of a finance committee—those that deal with the school's finances on a day-to-day basis. By providing regular reports at meetings, the finance committee does in fact keep the Board up-to-date on the status of the school's financial affairs.

c. Alleged Relinquishment of Board's Authority to Approve Contracts

LACOE staff agrees in the NIR that "WAYS may change its bylaws" at our own discretion, but they claim that the Board relinquished some of its power under our current bylaws adopted in 2011. Not only is this untrue, but staff has not provided any specific language from our former bylaws that supports their position. Rather, staff complains that our response to the NOV "does not provide a comparison in Board authority between the two sets of bylaws." It is LACOE's burden to put forth evidence in support of their alleged violations. WAYS cannot respond in detail if there is no direct evidence to respond to. If staff had taken a closer look at our former bylaws adopted in 2002, they would realize that the Board never had an expressed duty to approve every contract in advance as LACOE claims. In fact, the description of the specific powers of the Board is almost identical between the two sets of bylaws.

Another example of LACOE staff's poor legal analysis in the NIR relates to the allegations centered around the vehicle purchase, where your staff states that "LACOE disagrees" with a basic principle in the California Corporations Code. A certified Board resolution is prima facie evidence of official Board action. (Corp. Code, § 5215.) Contrary to staff's contention, written Board resolutions do in fact trump the transcript from the meeting under California law. The rest of this section in the proposed NIR relies on the recurrent and flawed assertion that the Board is required to approve every contract in advance, which we have repeatedly shown is not true. LACOE staff has still not provided any authority to support this position, and the County Board should be wary of revoking WAYS' charter based on positions that are devoid of solid evidence or supporting law.

d. Alleged Improper Expenditure of School Funds

LACOE again complains that the modest performance-based stipends (most around \$500) to compensate our teachers for performing extracurricular tasks, taking on leadership roles, and maintaining good attendance habits that are above and beyond what is expected is an improper expenditure of funds. Not so. At the February 27, 2014 meeting, WAYS' Executive Director Mr. Cabil reported to the Board about the criteria and evidence he used to evaluate the teachers' performance. Board members asked questions about the criteria and Mr. Cabil gave specific examples of the unpaid time and effort the teachers had expended. These conversations are memorialized in the meeting transcript and we quoted them in our responses to the NOV. The stipends were a perfectly proper use of public school funds as a form of compensation to reward our teachers for their dedication to our young students.

LACOE also now alleges that WAYS improperly expended public funds in the new contracts for the Executive Director and the Director of Operations. The staff apparently takes issue with some of the language in the agreements. WAYS' employment agreements were drafted by our attorneys in accordance with California law governing nonprofit corporations operating charter schools. **The contracts at issues are nearly identical to those used by many other charter schools, including others authorized by LACOE.** We drafted these contracts aided by the advice of our legal counsel and our Board voted to approve them. We believe the terms are fair and reasonable and are not at all ambiguous as the staff seems to imply. Just because LACOE staff disagrees with the terms of a contract does not mean that WAYS is improperly expending public funds.

e. Alleged Failure to Approve Policies Prior to Implementation

A huge portion of the proposed NIR is based on LACOE's claim that WAYS has *not implemented* school policies. Staff is that WAYS *did implement* many of its school policies, but did so improperly because they were implemented prior to receiving the requisite Board approval. These two arguments are plainly contradictory. This will hopefully highlight for the County Board why WAYS finds it so difficult and frustrating to work with the LACOE staff.

f. Alleged Failure to Appropriately Hold Meetings

Over the past three years, the WAYS Board has in fact held meetings at least once each month as required under its bylaws for nearly every month. While it is true that there are a few months when the Board did not meet, there were many months where the Board met multiple times. Also, contrary to LACOE's claim in the NIR, WAYS does publish its schedule of regular meetings and makes it available to parents, teachers, staff, the general public, and LACOE. The WAYS Board has already set and approved the next year's schedule of regular meetings and, of course, this schedule is already available to the public.

g. Alleged Failure to Provide Proper Oversight of Key Administrators

LACOE presents claims of inadequate oversight of WAYS administrators but provides no supporting authority or evidence. The staff, again, brings up the former executive director who has not been an administrator at the school since 2011—prior to LACOE's approval of WAYS' charter. The school terminated her employment years ago, effectively curing any

alleged violations. LACOE's redundant inclusion of these "violations" is inflammatory and improper. The proposed NIR also accuses our Vice Principal Deara Okonkwo of somehow violating her employment contract, yet does not provide any details or description of how her affiliation with a private school in South Los Angeles is a violation. LACOE did not provide any evidence to support their allegation that Deara was not fulfilling her minimum on-site hours provided in her contract. Rather, the NOV accounted the chilling fact that LACOE hired a man to follow her and observed her spending time at the private school. This is not evidence that Deara did anything in violation of her employment contract, but this is evidence that LACOE likely violated Deara's constitutionally protected right to privacy, and LACOE improperly expended public funds along the way.

h. Alleged Violation of Employee Qualifications

Despite the school's undisputed financial stability and academic success, LACOE staff still maintains that the Executive Director failed to facilitate optimum performance of the Board, failed to oversee the financial systems of the organization, or failed to apprise the Board of all concerns communicated by LACOE. Our responses to the NOV addressed the "specific" claims LACOE made, but they must have fallen on deaf ears. To summarize, Mr. Cabil gave regular oral reports at each meeting to keep the Board informed on the necessary operations of the school. He navigated the school through rough waters as enrollment skyrocketed and supplies dwindled. Under his guidance, WAYS has consistently exhibited a strong financial position and has recently academically outperformed every elementary school within a three-mile radius. This would not have been possible without the strong leadership and dedication of our Executive Director.

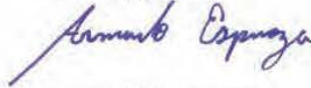
WAYS' former Director of Operations has also provided strong leadership and balance to the school with his knowledge and passion for education. Jason has dedicated much of his life and energy to supporting WAYS, our students, and our entire community. It was with a heavy heart that the Board decided it needed to replace Jason to cure the *appearance* that he had done anything wrong. Disappointingly, even this attempt to cure a non-existent violation has not satisfied LACOE staff.

3. Concern Regarding the General Capacity to Operate a Charter School

With respect to general capacity, we will again point to the school's strong financial position and recent evidence of strong academic achievement to refute this claim. Our current Board has historically been comprised of strong leaders in our community and we have recently acquired new talent. WAYS is confident that our Board's experience, passion, and dedication will continue to lead our school to future success. The Board recently underwent training with our legal counsel that will expand their awareness of general legal and fiduciary obligations. WAYS is an important part of the South Los Angeles community and these leaders will make sure the school continues to prosper. As County Board member Doug Boyd sated when WAYS' charter was approved years ago, "give these kids a place to go in September, a place to go that works..." (Exhibit 4, pg. 2.)

In sum, there are no current, uncured violations of the law or charter at the school. When it all boils down, the most important question should be what is best for the students. WAYS is an oasis of academic achievement in an otherwise desolate educational landscape. For all of the reasons stated above, we respectfully ask that you do not vote to issue the proposed Notice of Intent to Revoke. We look forward to discussion of any of these issues with the County Board, as well as LACOE staff and Superintendent Delgado.

Sincerely,



Armando Espinoza

Board Chair, WAYS Board of Directors

EXHIBIT 4

WISDOM ACADEMY FOR YOUNG SCIENTISTS

7651 S. CENTRAL AVE.
LOS ANGELES, CA 90001
323-537-8194

706 E. MANCHESTER AVE.
LOS ANGELES, CA 90001
PH: 323-752-6655

8778 S. CENTRAL AVE
LOS ANGELES, CA 90001
323-589-6500

November 18, 2014

Members of the Los Angeles County Board of Education
c/o Superintendent Arturo Delgado
Los Angeles County Office of Education
9300 Imperial Highway
Downey, CA 90242

Re: LACOE Staff Report to County Board on Final Decision Regarding Charter
Revocation for Wisdom Academy for Young Scientists ("WAYS")

Dear Members of the Board of Education:

The purpose of this letter is to respond to the LACOE staff's written report that recommends the County Board of Education make a final decision to revoke the WAYS charter ("Report"). We urge the Board *not* to revoke the charter, and we write this letter both toward that goal and also for purposes of the school's anticipated appeal to the State Board of Education.

We were astounded to read the Report's statement that "WAYS has failed to dispute the factual matters and violations identified in the NIR and NOV." For over four months now since issuance of the NOV, *WAYS has repeatedly and comprehensively "disputed" the factual matters and violations identified in the NIR and NOV.* The record could not be clearer on this point. Our board members, attorneys, consultants, staff, parents and students have disputed the facts and violations in the NIR and NOV in as many ways as we could, such as in detailed letters to LACOE staff and the County Board, in conferences with LACOE staff Judy Higelin and Courtney Brady, and at every opportunity in person before the County Board. We disputed the facts and conclusions in the NIR and NOV even before those documents were issued, since 2011 in response to Notices to Cure from LACOE staff. We disputed them in and after the remedy period afforded under the NOV. WAYS could not have made it clearer that we indeed "dispute" LACOE staff's statements and conclusions about our school. We provided each of you individually with a disc containing hundreds of pages of evidence responding to every concern raised by LACOE staff. Nearly all of our responsive evidence to the NOV is un-refuted by LACOE staff.

Importantly, WAYS has taken every step we could take to compromise with LACOE staff and cure the purported violations identified in the NOV and NIR. Yet every time WAYS has done what LACOE staff requested in the NOV to remedy a purported violation, LACOE has demanded

more, or something altogether different. We note that the issues in the NOV, NIR and now the Report have morphed and mutated dramatically as LACOE staff has “piled on” requirements and purported “evidence.” It has become—both as a practical matter and as a matter of law—impossible for the school to actually “cure” any of the violations. Perhaps that was your staff’s intent. We hope the County Board and State can see that there is *no basis in the charter law* for the demands LACOE staff has made of the WAYS charter school. Here are a few examples:

- LACOE staff and the County Board members expressed concern with the composition of the WAYS board. The NOV did not ask for the removal of any board members by name, nor claim any board members committed violations of law, but simply stated that the WAYS board “failed to exercise fiscal and institutional control.” In response, the five-member WAYS board removed two of its members in July 2014, then added four new board members (two were added July 23, 2014, and two were added in October 2014).¹ Now, LACOE staff says this overhaul was not enough. The Report states that in order to cure the violations in the NOV, *each and every* WAYS board member who has served since 2011 was required to be removed from the board. This is a demand that was *not* made in the NOV or the NIR, nor by the County Board. We fail to see any authority whatsoever under the charter schools law for an authorizer to demand that a charter school entirely replace its governing board (and who shall act to entirely replace the board, if not the board itself?). This demand is inconsistent with how the nonprofit corporations law works: the Report states that WAYS cannot “rely on a majority vote of the Board to remove existing members,” but a majority vote of the board is *exactly* how the law and the corporate bylaws require the WAYS board to make such decisions. As a practical matter, we are unclear how any charter school could accomplish a total board replacement in the course of 4 months while under attack from its authorizer, and remain stable and functional. (Ironically, the Report chastises WAYS for historically high board turnover at the same time it claims the turnover was too low.) We also fail to see any reason why the LACOE staff would wait until several months *after* closure of the NOV’s remedy period to make this demand, except to make it impossible for the school to cure the violations.
- The NOV stated that the school’s fiscal policies and internal controls were inadequate. This was a surprise to WAYS, as we had adopted revised fiscal policies and internal controls just weeks before the NOV was issued on April 30, 2014—fiscal policies and controls that were *directed by and reviewed by LACOE’s own Controller*. Nonetheless, in response to the NOV, WAYS hired a new back office services provider (Charter School Management Corporation) and set out to revise and adopt new, re-revised fiscal policies and internal controls. LACOE’s Executive Director of LACOE Business and Finance actually participated in revising WAYS’ Financial Policies and Procedures

¹ We note these two board members, who were nominated by Celerity Educational Group, have since resigned from the WAYS Board given that the Celerity contract is not proceeding as previously planned.

Handbook. The WAYS board adopted the re-revised policies on September 17, 2014. Unbelievably, *after two revisions at LACOE's direction*, the Report now states that the re-revised fiscal policies and internal controls are deficient.

- The NOV and NIR identified a host of issues related to overall management of WAYS (board meeting practices and Brown Act compliance, vendor selection, relations with LACOE staff, assistance for instructional school leadership, operations, facilities). In response, the WAYS board carefully considered and voted for Celerity Educational Group (“Celerity”) to be the charter management organization (“CMO”) for WAYS and also function as the school’s Executive Director. WAYS’ Board President and the CEO of Celerity met with LACOE Project Director Judy Higelin to discuss this plan in detail as a cure to the NOV and NIR. Celerity already operates the successful Celerity Sirius Charter School authorized by LACOE, as well as several schools authorized by LAUSD. Under the WAYS contract, Celerity would take over day-to-day operations of WAYS for the remainder of WAYS’ charter term, and the contract was approved by both WAYS’ and Celerity’s boards. *The contract reflected all the provisions specifically requested by LACOE’s Judy Higelin, including a provision that it be expressly conditioned on approval by the County Board of a material revision of the WAYS charter.* WAYS submitted the request for a material revision, and even hired the proposed Celerity principal to run the school in the interim while it waited for the County Board’s consideration of the material revision of the charter. Now, the Report claims the Celerity contract and proposed material revision to the WAYS charter is an “insufficient remedy.”
- The NOV took issue with WAYS former Director of Operations. In response, WAYS explained that the former Director of Operations did *not* violate any laws or conflict of interest rules, but as a compromise to LACOE, WAYS also quickly ended the former Director of Operations’ employment relationship with the school. It immediately hired a new Director of Operations. The Report states WAYS failed to cure because the former Director of Operations was retained temporarily as an independent contractor. It is true that *the former Director of Operations was required to train his replacement and assist the school’s Board of Directors in responding to LACOE’s NOV and NIR.* LACOE staff *created* the problem of him being a temporary independent contractor by demanding that he immediately end his employment with the school in the middle of a charter revocation. The former Director of Operations has not performed work for the school for months.

Education Code section 47607(c)(2) mandates charter authorizers to consider increases in pupil academic achievement for all groups of pupils served by the charter school as the ***most important factor*** in determining whether to revoke a charter. LACOE has failed to do so. An authorizer is required to consider increases in pupil academic achievement over time, rather than a one-year snapshot of performance, and must look specifically at test scores of any numerically significant subgroup. Simply finding that a charter school has made governance or legal errors is no longer legally enough to justify revocation. Under Education Code section 47607(c)(2), it is not enough for the County Board to simply “keep in mind” or “take into account” WAYS’

academic achievement when deciding whether to revoke the WAYS charter. Instead, a charter authority must give *extra weight* to this factor when it considers all the information presented in support of a charter revocation. ***Findings related to WAYS' academic achievement are more important than any findings that the school violated its charter, engaged in fiscal mismanagement, or violated any provision of the law.*** Failure to adequately consider academic achievement results in an unlawful revocation. (See *American Indian Model Schools v. OUSD* (2014) 227 Cal.App.4th 258.)

The NOV failed to raise any concern whatsoever about student achievement at WAYS. The Report discusses Section 47607(c)(2) and it refers to the NIR, but LACOE provided no analysis, discussion or even mention of student achievement in the NOV or during the “cure” period. The Report and NIR cannot at this late phase of the revocation add **new or additional** evidence to revoke WAYS’ charter. Under the law, LACOE was required to provide a due process opportunity for WAYS to respond, refute and/or cure **any and all** evidence for charter revocation.

The Report erroneously states that “WAYS has not demonstrated consistent increases in pupil achievement since the charter school began operation.” But there is no requirement for WAYS to “demonstrate” that here. The burden is not on WAYS to demonstrate student achievement in a revocation. Rather, **the burden is on LACOE to explain how the alleged defects in management at WAYS outweigh student achievement.** It is not enough to simply recite WAYS’ scores in comparison to other schools, as the Report attempts to do. (See *American Indian Model Schools v. OUSD* (2014) 227 Cal.App.4th 258.)

WAYS not only met its schoolwide growth target in 2012-2013, it met its growth target for all student groups, including its Hispanic or Latino and socioeconomically disadvantaged students. As we previously pointed out, WAYS had a growth in API score of 54 points in 2012-13, which is the *highest growth score* of the 38 public elementary schools identified in LACOE’s own Report that are within a 3-mile radius of the school’s East Manchester campus. The 54 point growth last year is a significant jump considering the average growth during that period for public schools overseen by LACOE was only 3 points. Although WAYS did have a dip in API from its impressively high score of 879 in 2009-10, WAYS has rebounded to show incredible growth over the past year, which the Report inexplicably dismisses.

LACOE staff’s own charts and information in the Report (that LACOE provided for the very first time) shows that WAYS has increased its academic achievement in several areas and continues to rank highly when compared to its resident and comparison schools. WAYS’ proficiency rates in both ELA and Math have increased from 2011-12 to 2012-13. WAYS currently ranks 4th in ELA and 3rd in math proficiency rates among the resident schools identified in the Report. WAYS’ 3-year average API score of 741 also ranks 6th or higher compared to the resident schools on a schoolwide basis and for *every identified pupil group*: African American, Hispanic/Latino, socioeconomically disadvantaged, English Learners, and students with disabilities. As the Report itself points out, if WAYS’ students attended the identified resident schools, almost 60% of our students would be forced to attend a school with a lower 3-year weighted average schoolwide API. In other words, ***if the County Board revokes our charter, the majority of our students will be forced to attend schools that have a lower academic performance record.***

For all of the reasons stated above, we respectfully ask that you do not vote to revoke the
WAYS charter.

Sincerely,

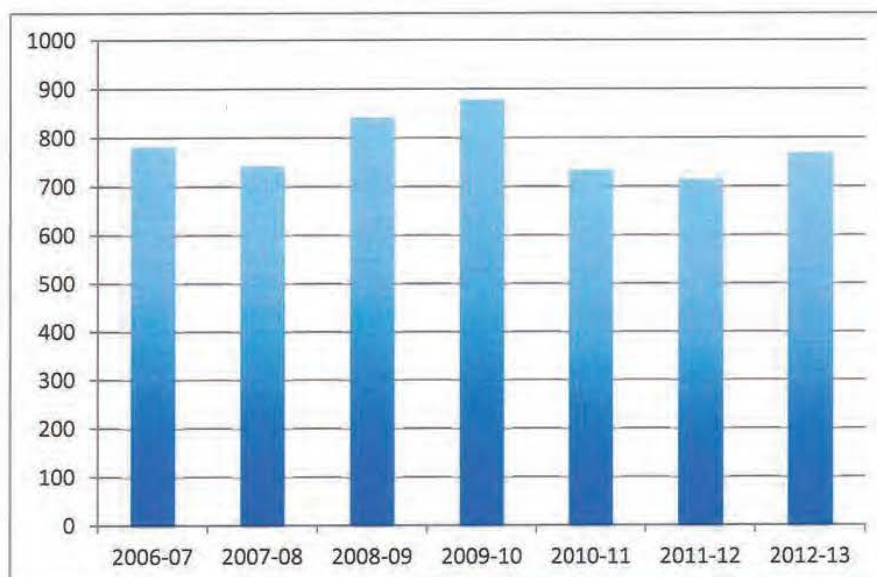
A handwritten signature in blue ink, appearing to read "Armando Espinoza".

Armando Espinoza

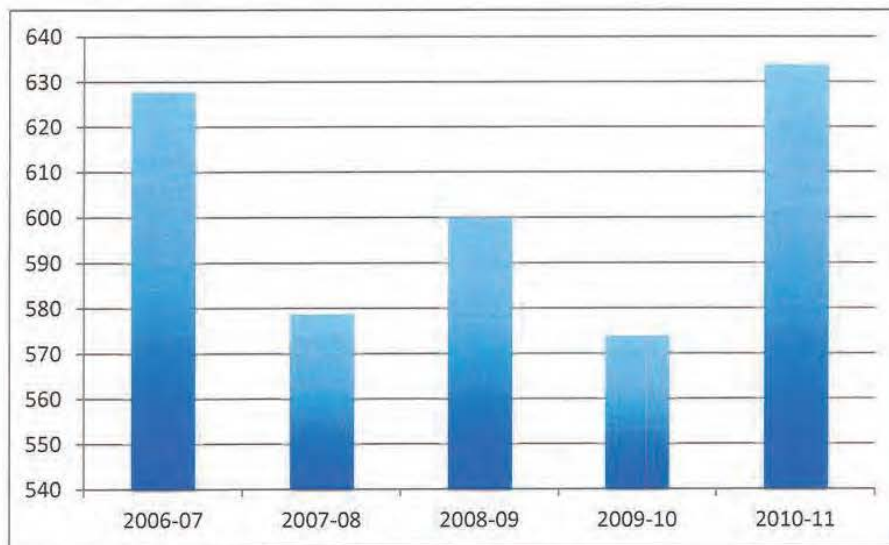
Board Chair, WAYS Board of Directors

EXHIBIT 5

WAYS Growth API, Growth Target Data, and Statewide and Similar Schools Ranks					
Year	Growth API Score	Met target schoolwide?	Met target for all student groups*?	Statewide Rank	Similar Schools Rank
2006-07	782	N/A	N/A	6	**
2007-08	743	No	--	5	**
2008-09	843	Yes	Yes	8	**
2009-10	879	Yes	Yes	9	**
2010-11	736	No	No	2	1
2011-12	716	No	No	1	1
2012-13	769	Yes	Yes	3	7
3-year average	741	No Growth Targets Established	No Growth Targets Established	No Ranks issued by CDE	No Ranks issued by CDE
*WAYS has 5 numerically significant student groups: Black/African American; Hispanic/Latino; Socioeconomically disadvantaged; English Learners; and Students with Disabilities. N/A=2006-07 was WAYS first year of operation. No growth targets established. **= Less than 100 students tested. Similar schools ranks are not calculated for small schools. -- = Student groups not numerically significant due to size of school. No growth targets established.					



Cornerstone Preparatory Charter Growth API, Growth Target Data, and Statewide and Similar Schools Ranks					
Year	Growth API Score	Met target schoolwide?	Met target for all student groups*?	Statewide Rank	Similar Schools Rank
2006-07	628	N/A	N/A	1	**
2007-08	579	No	No	1	1
2008-09	600	Yes	No	1	1
2009-10	574	No	No	1	1
2010-11	634	Yes	No	1	1



WAYS English Learner Redesignation Rates				
Year	# ELs	% EL	# Redesignated	% Redesignated*
2006-07	1	0.70%	N/A: 1 st year of operation; therefore, no prior year count.	
2007-08	11	7.50%	0	0%
2008-09	31	17.50%	8	72.70%
2009-10	14	5.90%	10	32.30%
2010-11	52	19.50%	12	85.70%
2011-12	73	15%	0	0%
2012-13	85	16.30%	35	47.90%
2013-14	166	30.90%	1	0.90%
*This percent is calculated by dividing the number of redesignated students by the <u>prior year's</u> EL count then multiplying by 100.				

School	Number of WAYS Students	Percentage of WAYS Students
South Park Elementary	76	14.00%
Russel El	45	8.29%
Wisdom El	40	7.37%
McKinley El	37	6.81%
93Rd Street El	33	6.08%
Parmelee El	32	5.89%
Dr. Owen Lloyd Knox Elementary	17	3.13%
96th Street Elementary	15	2.76%
107th Street Elementary	13	2.39%
Miramonte Elementary	11	2.03%
Judith F. Baca Arts Academy	11	2.03%
95th Street Elementary	9	1.66%
75th Street Elementary	9	1.66%
McNair Elementary	8	1.47%
La Salle Elementary	8	1.47%
Florence Griffith Joyner Elementary	8	1.47%
99th Street Elementary	7	1.29%
Woodcrest Elementary	6	1.10%
Raymond Elementary	6	1.10%
Barret Elementary	6	1.10%
Lincoln Elementary	5	
Flournoy Elementary	5	
92nd Street Elementary	5	
Sally Ride Elementary: A Smart Academy	5	
West Athens Elementary	5	

Rank	School	2013 Growth	2012 Base	2012-13 Growth Target	2012-13 Growth	Met Growth Target
1	Wisdom Academy for Young Scientists	769	715	5	54	Yes
2	Lillian Street Elementary	768	770	5	-2	No
3	Manchester Avenue Elementary	764	782	5	-18	No
4	Seventy-Fifth Street Elementary	763	760	5	3	No
5	Russell Elementary	760	749	5	11	Yes
6	Ninety Fifth Street Elementary	757	760	5	-3	No
7	Parmelee Avenue Elementary	747	745	5	2	No
8	Figueroa Street Elementary	743	755	5	-12	No
9	Sixty-Sixth Street Elementary	739	775	5	-36	No
10	Wisdom Elementary	737	746	5	-9	No
11	South Park Elementary	723	759	5	-36	No
12	McKinley Avenue Elementary	721	726	5	-5	No
13	Miramonte Elementary	708	676	6	32	Yes
14	Graham Elementary	701	742	5	-41	No
15	Loren Miller Elementary	700	717	5	-17	No
16	Ninety-Third Street Elementary	695	730	5	-35	No
17	Judith F. Baca Arts Academy	679	671	6	8	Yes
18	One Hundred Seventh Street Elementary	670	699	5	-29	No
19	One Hundred Twelfth Street Elementary	642	670	7	-28	No
20	Woodcrest Elementary	626	646	8	-20	No

WAYS performance compared to 19
 LAUSD elementary schools within a 3
 mile radius

WAYS Academic Performance Index Comparison to all public elementary schools within a 3-mile radius		
School	API 2012-13 Growth	Distance in miles within a 3 mile radius
KIPP Empowerment Acad. [^]	991+	2.26
Kipp Comienza	978	2.69
Celerity Dyad	871	2.97
122nd St.	842	2.69
Watts Learning Center ^h	840	1.14
Florence Ave.	823	1.75
96 th St.	811	1.11
92nd	809	1.6
Madison	802	2.93
Lou Dantzler	796	2.86
Middleton St.	793	2.41
Aspire Stauson	783	2
Liberty Bl.	781	2.37
Aspire Inskeep	776	2
51 st St.	775	2.08
Walnut Park	775	2.29
118 th St.	774	2.4
WAYS	769	0
Academia Moderna ^h	768	1.99
Lillian St.	768	2.28
Montara Ave	768	2.75
Miles Ave	768	2.85
Manchester Av	764	1.35
75 th St.	763	1
Aurora	763	2.45
Stanford Ave.	761	2.5
Russell	760	0.6
95 th St	757	2.08
Ritter	753	2.68
Aspire Juanita Tate	752	2
116 th St.	752	2.21
Parmelee	747	1
Main St.	744	2.46
Figueroa St.	743	2.12
66 th St.	739	1.43
Wisdom	737	1.02
State St.	735	2.96
Estrella	733	2.39
Manhattan Pl	731	2.88
Budlong Ave	725	2.67
South Park	723	0.27
68 th St.	723	1.76
McKinley Av	721	0.58
Dr. Owen Knox	718	0.75
Compton Ave.	714	1.55
Charles Barrett	711	1.35
Grape St	709	2.29
Miramonte	708	1.48
Raymond Ave	702	2.2
Graham	701	1.46
L. Miller	700	1.62
52nd St.	698	2.91
93 rd St.	695	0.65
Holmes Ave	693	2.75
109 th St.	691	1.6
J. Baca	679	1
49th St.	676	2.69
Hooper Ave	675	2.56
Lovelie P. Flourney	672	2.02
107 th St.	670	1.54
Weigand Ave	662	2.29
112 th St.	642	1.9
La Salle Ave	628	2.49
Woodcrest	626	2.53
Carver	624	2.62
Barack Obama	620	2.52
Florence G. Joyner	618	1.86
WAYS 2012-13 API ranks 18th compared to all 69 LAUSD and Charter K-5 schools within a 3-mile radius of 708 East Manchester Avenue Los Angeles Ca, 90001		
^h Indicates charter school		
+ Indicates school does not have a 3-year average API. Score listed is the 2013 Growth API		
- No data available		
Source: CDE DataQuest http://www.cde.ca.gov/ds/ Retrieved 12-15-14.		

School	API 2012-13 Growth	Distance in miles within a 2 mile radius of WAYS
Watts Learning Center ^h	840	1.14
Florence Ave.	823	1.75
96 th St.	811	1.11
92nd	809	1.6
WAYS	769	0
Academia Moderna ^h	768	1.99
Manchester Av	764	1.35
75 th St.	763	1
Russell	760	0.6
Parmelee	747	1
66 th St.	739	1.43
Wisdom	737	1.02
South Park	723	0.27
68 th St.	723	1.76
McKinley Av	721	0.58
Dr. Owen Knox	718	0.75
Compton Ave.	714	1.55
Charles Barrett	711	1.35
Miramonte	708	1.48
Graham	701	1.46
L. Miller	700	1.62
93 rd St.	695	0.65
109 th St.	691	1.6
J. Baca	679	1
107 th St.	670	1.54
112 th St.	642	1.9
WAYS 2012-13 API ranks 6th highest of all 26 LAUSD and Charter K-5 schools within a 2-mile radius.		
^h Indicates charter school		
+ Indicates school does not have a 3-year average API. Score listed is the 2013 Growth API		
- No data available		
Source: CDE DataQuest http://www.cde.ca.gov/ds/ Retrieved 12-15-14.		

School	API 2012-13 Growth	Distance in miles within a 1 mile radius of WAYS
WAYS	769	0
75 th St.	763	1
Russell	760	0.6
Parmelee	747	1
South Park	723	0.27
McKinley Av	721	0.58
Dr. Owen Knox	718	0.75
93 rd St	695	0.65
WAYS 2012-13 API is the highest of all 8 LAUSD K-5 schools within a mile radius.		
^h Indicates charter school		
+ Indicates school does not have a 3-year average API. Score listed is the 2013 Growth API		
- No data available		
Source: CDE DataQuest http://www.cde.ca.gov/ds/ Retrieved 12-15-14.		

2012-13 API: WAYS and Comparison Resident* School							
School	% of WAYS Enrollment	API 2012-13 Growth	Black/ African Amer.	Hispanic/ Latino	Socio-economically disadv.	English Learners	Students with Disabilities
96th St.	2.76%	811	773	821	811	779	532
WAYS	--	769	739	801	766	786	574
75th St.	1.66%	763	691	773	765	757	687
Russell	8.29%	760	699	767	760	729	621
95th St.	1.66%	757	720	773	758	757	637
Parmelee	5.89%	747	656	751	746	680	515
Wisdom Elem.	7.37%	737	683	742	737	689	558
South Park	14.00%	723	603	745	727	714	563
McKinley Av	6.81%	721	671	732	721	699	477
Dr. Owen Knox	3.13%	718	640	739	718	710	480
Miramonte	2.03%	708	--	709	708	671	535
93rd St.	6.08%	695	618	716	695	692	503
Judith Baca	2.03%	679	582	691	679	678	673
107th St.	2.39%	670	605	690	668	667	524

*Based on WAYS' 2013-14 enrollment lists submitted to the LACOE Charter School Office in October 2013

2013 Proficiency Rates: WAYS and Resident Schools*			
School	% Proficient ELA	School	% Proficient Math
NCLB Goal	89.20%	NCLB Goal	89.50%
96th Street	54.7	96th Street	69.8
Russell	45.8	WAYS	59.60%
WAYS	44.40%	Russell	56.9
Parmelee Ave	40.9	Parmelee Ave	54
McKinley Ave	39.5	Wisdom Elem.	52.2
South Park	39.1	Dr. Owen Knox	49.8
Wisdom Elem.	36.6	McKinley Ave	48.6
Dr. Owen Knox	35.6	South Park	46.6
Miramonte	34.4	Miramonte	41.9
93rd Street	31	Judith F. Baca	41.9
107th Street	29.3	93rd Street	40.2
Judith F. Baca	27	107th Street	35.1
75th St.	--	75th St.	--
95th St.	--	95th St.	--

*Based on WAYS' 2013-14 enrollment lists submitted to the LACOE Charter School Office in October 2013; all resident schools are within LAUSD.

2013-14 EL Redesignation Rates: WAYS and Resident Schools*		
School	% Redesignated	% English Learners
Dr. Owen Knox	17.40%	42.60%
107th Street	16.70%	47.10%
Judith F. Baca	16.10%	47.40%
96th Street	15.80%	38.40%
Russell	15.00%	51.50%
Parmelee Ave	11.00%	45.50%
Miramonte	12.20%	57.50%
93rd Street	11.60%	49.50%
Wisdom Elem.	10.80%	50.30%
McKinley Ave	10.80%	49.70%
South Park	9.90%	47.30%
WAYS	0.90%	30.90%
75th St.	--	--
95th St.	--	--
LAUSD	13.90%	27.40%
LA County	13.30%	23.80%
State	12.00%	22.70%

*Based on WAYS' 2013-14 enrollment lists submitted to the LACOE Charter School Office in October 2013; all resident schools are within LAUSD.

WAYS 2012-13 API Comparison to CDE Similar LAUSD Schools*											
School	Distance from WAYS in miles	2013 Similar Schools Rank	API 2012-13 Growth	Black/ African Amer.	Asian	Filipino	Hispanic/ Latino	White	Socio-economic ally disadv.	English Learners	Students with Disabilities
Maywood	6.7	10	864	—	—	—	865	—	864	837	726
Brooklyn Ave	12	10	831	—	—	—	833	—	834	788	614
Santa Monica Blvd Community Charter ^a	13	9	809	—	935	—	804	836	809	798	659
Grand View Blvd.	16	8	805	897	—	—	784	921	797	773	719
Cienega	11	8	768	704	—	—	808	—	794	793	671
Haddon Ave.	26	7	779	—	—	—	778	—	779	744	706
WAYS^a	0	7	769	739	—	—	801	—	766	786	574
Frederick Douglass Academy ^a	8.6	7	741	740	—	—	746	—	741	748	680
Yorkdale	15	6	798	—	—	—	787	—	788	748	700
Bassett St.	36	6	780	804	902	—	775	842	782	751	591
Union Ave.	9	6	762	—	—	917	763	—	762	742	525
Vinedale	25	6	771	—	—	—	778	—	771	773	643
Lassen	25	5	784	—	—	—	776	—	779	762	650
Limerick Ave	42	5	768	832	915	904	745	859	768	732	488
Lenicia B. Weemes	6	5	751	702	—	—	771	—	755	743	644
Miles Ave	8.6	4	803	—	—	—	768	—	770	729	546
Jaime Escalante	5	4	767	—	—	—	767	—	772	716	639
Rosemont	10	3	745	849	—	825	728	—	770	747	608
Camellia Ave.	46	3	747	—	—	—	749	—	747	714	649
Harrison St.	14	1	697	—	—	—	700	—	699	690	617

*LAUSD comparison schools based on WAYS' 2012 Similar School Report 10+1
^a=Charter school

2012-13 Proficiency Rates: WAYS and Comparison Schools*			
School	% Proficient ELA	School	% Proficient Math
NCLB Goal	89.20%	NCLB Goal	89.50%
Maywood	64.40%	Brooklyn Ave.	73.60%
Frederick Douglass Academy ^a	59.10%	Maywood	76.40%
Brooklyn Ave.	58.10%	Santa Monica Blvd. Com. Charter ^a	66.20%
Cienega	53.80%	Lassen	64.70%
Yorkdale	52.30%	Grand View Blvd.	64.50%
Santa Monica Blvd. Com. Charter ^a	49.90%	Cienega	62.70%
Grand View Blvd.	48.40%	Limerick Ave	60.60%
Lassen	47.40%	WAYS^a	69.60%
Jaime Escalante	46.60%	Union Ave	59.50%
Vinedale	46.50%	Yorkdale	59.10%
Miles Ave	45.40%	Vinedale	57.70%
Bassett St.	44.60%	Haddon Ave.	57.50%
WAYS^a	44.40%	Bassett St.	57.40%
Union Ave.	44.20%	Miles Ave	57.30%
Limerick Ave	44.00%	Camellia Ave	53.80%
Lenicia B. Weemes	43.90%	Lenicia B. Weemes	53.40%
Haddon Ave.	43.80%	Jaime Escalante	53.10%
Rosemont	42.70%	Rosemont	50.50%
Camellia Ave.	37.70%	Frederick Douglass Academy ^a	50.10%
Harrison St.	30.20%	Harrison St.	43.80%

*LAUSD comparison schools based on WAYS' 2012 Similar School Report ^a=Charter school

2013-14 English Learner Redesignation Rates: WAYS and Comparison Schools*		
School	% Reclassified	% English Learners
Brooklyn Ave.	78.10%	33.30%
Yorkdale	19.80%	24.60%
Rosemont	19.10%	40.20%
Maywood	18.70%	41.50%
Lenicia B. Weemes	17.10%	38.30%
Cienega	15.40%	49.90%
Haddon Ave.	15.00%	45.10%
Vinedale	14.50%	43.00%
Harrison St.	14.40%	46.80%
Camellia Ave.	13.80%	48.40%
Union Ave.	12.80%	65.70%
Grand View Blvd.	12.40%	48.30%
Limerick Ave	11.30%	49.30%
Lassen	10.90%	44.00%
Bassett St.	10.80%	51.20%
Jaime Escalante	10.00%	52.70%
Miles Ave	9.20%	57.50%
WAYS^a	0.90%	15.00%
Frederick Douglass Academy ^a	0%	7.00%
Santa Monica Blvd. Com. Charter ^a	0%	63.80%

*LAUSD comparison schools based on WAYS' 2012 Similar School R

School	API 2012-13 Growth	Distance from WAYS
WAYS	769	0
South Park	723	0.27
McKinley Av	721	0.58
Russell	760	0.6
93 rd St	695	0.65
Dr. Owen Knox	718	0.75
99 th St.	793	0.96
75 th St.	763	1
J. Baca	679	1
Parmelee	747	1
Wisdom	737	1.02
96 th St.	811	1.11
Watts Learning Center [^]	840	1.14
Charles Barrett	711	1.35
Manchester Av	764	1.35
66 th St.	739	1.43
Graham	701	1.46
Miramonte	708	1.48
107 th St.	670	1.54
Compton Ave.	714	1.55
92nd	809	1.6
109 th St.	691	1.6
L. Miller	700	1.62
Florence Ave.	823	1.75
68 th St.	723	1.76
Florence G. Joyner	618	1.86
112 th St.	642	1.9
Academia Moderna [^]	768	1.99
Aspire Inskip	776	2
Aspire Juanita Tate	752	2
Aspire Slauson	783	2
Lovelia P. Flourney	672	2.02
61 st St.	775	2.08
95 th St	757	2.08
Figueroa St.	743	2.12
Raymond Ave	702	2.2
116 th St.	752	2.21
KIPP Empowerment Acad. [^]	991-	2.26
Lillian St.	768	2.28
Grape St	709	2.29
Walnut Park	775	2.29
Weigand Ave	662	2.29
Liberty Bl.	781	2.37
Estrella	733	2.39
118 th St.	774	2.4
Middleton St.	793	2.41
Aurora	763	2.45
Main St.	744	2.46
La Salle Ave	628	2.49
Stanford Ave.	761	2.5
Barack Obama	620	2.52
Woodcrest	626	2.53
Hooper Ave	675	2.56
Carver	624	2.62
Budlong Ave	725	2.67
Ritter	753	2.68
49th St.	676	2.69
122nd St.	842	2.69
Kipp Comienza	978	2.69
Holmes Ave	693	2.75
Montara Ave	768	2.75
Miles Ave	768	2.85
Lou Dantzler	796	2.86
Manhattan Pl	731	2.88
52nd St.	698	2.91
Madison	802	2.93
State St.	735	2.96
Celerity Dyad	871	2.97

Schools Highlighted in Blue were not on WAYS list of schools located within a 3-mile radius

[^] Indicates charter school

+ Indicates school does not have a 3-year average API. Score listed is the 2013 Growth API.

— No data available

Source: CDE DataQuest <http://www.cde.ca.gov/ds/>. Retrieved 10-1-14.

Academic Analysis Pursuant to EC 47607(c)(2)

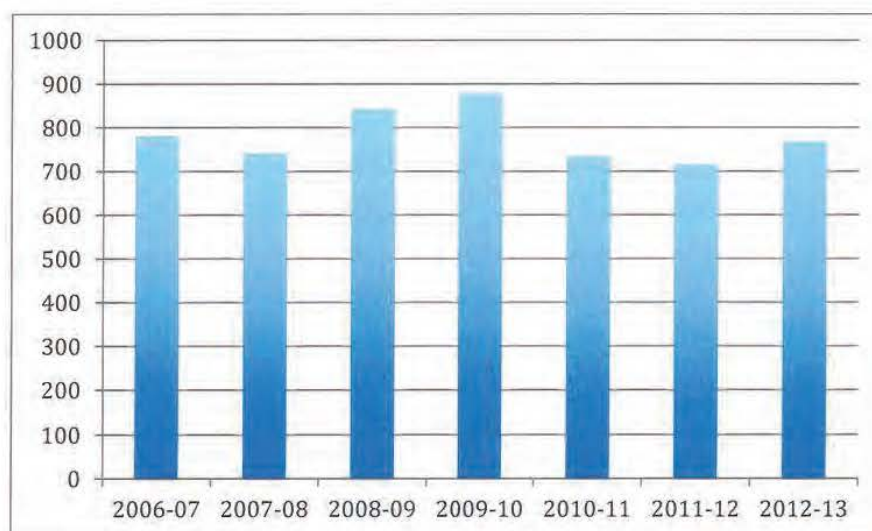
WAYS Growth API, Growth Target Data, and Statewide and Similar Schools Ranks					
Year	Growth API Score	Met target schoolwide?	Met target for all student groups*?	Statewide Rank	Similar Schools Rank
2006-07	782	N/A	N/A	6	**
2007-08	743	No	--	5	**
2008-09	843	Yes	Yes	8	**
2009-10	879	Yes	Yes	9	**
2010-11	736	No	No	2	1
2011-12	716	No	No	1	1
2012-13	769	Yes	Yes	3	7
3-year average	741	No Growth Targets Established	No Growth Targets Established	No Ranks issued by CDE	No Ranks issued by CDE

*WAYS has 5 numerically significant student groups: Black/African American; Hispanic/Latino; Socioeconomically disadvantaged; English Learners; and Students with Disabilities.

N/A=2006-07 was WAYS first year of operation. No growth targets established.

**= Less than 100 students tested. Similar schools ranks are not calculated for small schools.

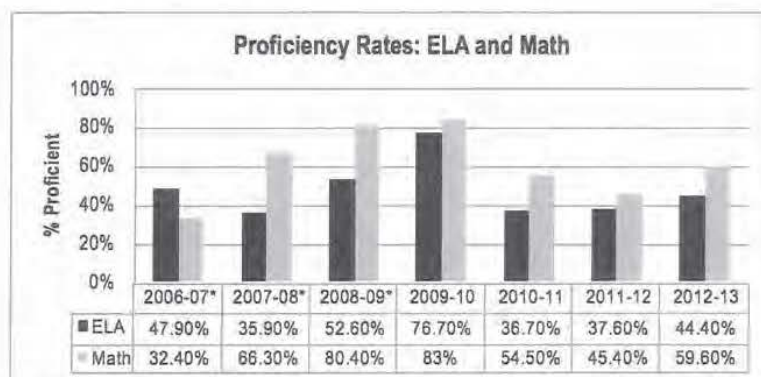
-- = Student groups not numerically significant due to size of school. No growth targets established.



Analysis: A review of WAYS Growth API scores, Growth Target data, and Statewide and Similar Schools Ranks from 2006-07 to 2012-13 shows:

- The school's Growth API peaked in 2009-10 (879),
- WAYS declined in 2010-11 due to the disruption caused by the charter renewal process and denial by LAUSD during the testing period in 2010-11.
- In 2011-12 WAYS double in enrollment when it absorbed 247 students of the population of Cornerstone Preparatory Charter which at the time had recently had its charter revoked due to reasons including its struggle with increasing student achievement. Consequently, WAYS' API experienced an additional decrease of 20 points.
- On the rebound, WAYS made a strong come-back in 2012-13 by exceeding the estimated API target with a 54 point increase.
- WAYS' 3-year weighted average API is 741, still outperforming most of the surrounding comparable schools.
- The school met its Growth Targets school-wide and for all numerically significant student groups in 3 of 6 years, inclusive of 2013-14, the final year in which the API was calculated.

Proficiency Rates in English-Language Arts and Math



Analysis: Proficiency rates in English-Language Arts (ELA) and math as measured by the California Standards Test (CST) is determined by the number of students testing proficient or above on the CST and is reported in the Adequate Yearly Progress (AYP) report for each school.

The AYP report shows consistent with the affects of the charter renewal period and the absorption of a low-performing charter school the final year. WAYS did not increase pupil academic achievement in ELA or math in 2010-11, and 2011-12. Yet, the proficiency rate for ELA increased from 37.60% in 2011-12 to 44.4% in 2012-13. Further, the math proficiency rate increased from 45.40% in 2011-12 to 59.6% in 2012-13. The CST was not administered in 2013-14.

English Learner (EL) Redesignation Rates

WAYS English Learner Redesignation Rates				
Year	# ELs	% EL	# Redesignated	% Redesignated*
2006-07	1	0.70%	N/A: 1 st year of operation; therefore, no prior year count.	
2007-08	11	7.50%	0	0%
2008-09	31	17.50%	8	72.70%
2009-10	14	5.90%	10	32.30%
2010-11	52	19.50%	12	85.70%
2011-12	73	15%	0	0%
2012-13	85	16.30%	35	47.90%
2013-14	166	30.90%	1	0.90%
*This percent is calculated by dividing the number of redesignated students by the <u>prior year's</u> EL count then multiplying by 100.				

Analysis: WAYS redesignation rate reports were inconsistent, in years 2011-12 and 2013-14 due to changes of key administrative personnel in these years. WAYS identified this deficiency and, with assistance from LACOE and CDE, has established policies and procedures that will help avert the failing to submit CELDT data to the state in a timely manner. Additionally, WAYS reported the CELDT Annual Assessment data for 2011-12 as evidenced in report from DataQuest attached.

Conclusion: A review of the Growth API score, proficiency rates in ELA and math and EL Redesignation rates indicates WAYS has faced some challenges with achieving increases in student achievement within some subgroups in the past. However, WAYS has taken several steps, including implementing a comprehensive EL Plan, toward making progress and increasing student achievement across all subgroups. Additionally in spite of some challenges, WAYS student achievement increased significantly by 54 point in 2012-13, which is a clear indicator of progress and strong student achievement.

Resident and Comparison School Data

*Assembly Bill (AB) 484, amended California Education Code (EC) sections 52052(2)(F) and 52052(4)(B). As a result, **schools and LEAs that do not have an API calculated in 2013–14 and 2014–15 shall use one of the following to meet legislative and/or programmatic requirements: (a) the most recent API calculation; (b) an average of the three most recent annual API calculations; or (c) alternative measures that show increases in pupil academic achievement for all groups of pupils school wide and among significant student groups.***

For purposes of providing an accurate scope of WAYS' student achievement since its inception, and an applicable comparison of **WAYS most recent API calculation** to:

1. All LAUSD and charter elementary schools within a 3-mile radius of WAYS' main campus.

2. Thirteen public schools of residence for WAYS pupils enrolled as of October 2013.
3. All nineteen schools identified on CDE's Similar Schools List within LAUSD boundaries. **All schools identified on this list are located at least 4 up to 46 miles away from the WAYS campus and community, therefore it the comparison does not provide an accurate picture of WAYS' impact in the community in which it resides.**

The metrics used for this comparison were:

- The most recent API calculation
- Proficiency Rates-Annual Measurable Objectives
- English Learner Redesignation Rates

The tables below compare WAYS' performance to that of the resident schools, which would otherwise enroll a majority of WAYS students, and comparison schools.

The Most Recent API Calculations

2012-13 API: WAYS and Comparison Resident* School							
School	% of WAYS Enrollment	API 2012-13 Growth	Black/African Amer.	Hispanic/Latino	Socio-economically disadv.	English Learners	Students with Disabilities
96th St.	2.76%	811	773	821	811	779	532
WAYS	--	769	739	801	766	786	574
75th St.	1.66%	763	691	773	765	757	687
Russell	8.29%	760	699	767	760	729	621
95th St.	1.66%	757	720	773	758	757	637
Parmelee	5.89%	747	656	751	746	680	515
Wisdom El	7.37%	737	683	742	737	689	558
South Park	14.00%	723	603	745	727	714	563
McKinley Av	6.81%	721	671	732	721	699	477
Dr. Owen Knox	3.13%	718	640	739	718	710	480
Miramonte	2.03%	708	--	709	708	671	535
93rd St	6.08%	695	618	716	695	692	503
Judith	2.03%	679	582	691	679	678	673
107th St.	2.39%	670	605	690	668	667	524
*Based on WAYS' 2013-14 enrollment lists submitted to the LACOE Charter School Office in October 2013							

Analysis: WAYS has a 2012-13 Academic Performance Index Score of 769. WAYS ranks 2nd, outperforming 12 out of its pupil's resident schools. Based on October 2013 enrollment data, at least 70.35% of WAYS students would otherwise attend a school with a lower school-wide API.

For numerically significant student groups, in 2013-14 WAYS outperformed 12 of its pupil's resident schools in all following categories: Black/African American,

Hispanic/Latino, Socio-economically Disadvantaged, and English Learner students.
Further, WAYS outperformed all 13 resident schools for for Students with Disabilities.

WAYS 2012-13 API Comparison to CDE Similar LAUSD Schools*											
School	Distance from WAYS in miles	2013 Similar Schools Rank	API 2012-13 Growth	Black/African Amer.	Asian	Filipino	Hispanic/Latino	White	Socio-economically disadv.	English Learners	Students with Disabilities
Maywood	6.7	10	864	--	--	--	865	--	864	837	726
Brooklyn Ave.	12	10	831	--	--	--	833	--	834	788	614
Santa Monica Blvd. Community Charter^	13	9	809	--	935	--	804	836	809	798	659
Grand View Blvd.	16	8	805	897	--	--	784	921	797	773	719
Cienega	11	8	768	704	--	--	808	--	794	793	671
Haddon Ave.	26	7	779	--	--	--	778	--	779	744	706
WAYS^	--	7	769	739	--	--	801	--	766	786	574
Frederick Douglass Academy^	8.6	7	741	740	--	--	746	--	741	748	680
Yorkdale	15	6	798	--	--	--	787	--	788	748	700
Bassett St.	36	6	780	804	902	--	775	842	782	751	591
Union Ave.	9	6	762	--	--	917	763	--	762	742	525
Vinedale	25	6	771	--	--	--	778	--	771	773	643
Lassen	25	5	784	--	--	--	776	--	779	762	650
Limerick Ave.	42	5	768	832	915	904	745	859	768	732	488
Lenicia B. Weemes	6	5	751	702	--	--	771	--	755	743	644
Miles Ave	8.6	4	803	--	--	--	768	--	770	729	546
Jaime Escalante	5	4	767	--	--	--	767	--	772	716	639
Rosemont	10	3	745	849	--	825	728	--	770	747	608
Camellia Ave.	46	3	747	--	--	--	749	--	747	714	649
Harrison St.	14	1	697	--	--	--	700	--	699	660	617
*LAUSD comparison schools based on WAYS' 2012 Similar School Report by CDE. 10 = highest possible score, 1 – lowest possible score											
^=Charter school. Data retrieved 12/15/14											

Analysis: WAYS has a 2012-13 Academic Performance Index Score of 769 and receive a rank of 7 by CDE on the 2013 Similar Schools Ranking List, out performing 13 of 19 schools compared.

For numerically significant student groups, WAYS outperformed: 2 of 8 schools for Black/African American students; 15 of 19 schools for Hispanic/Latino students; 5 of 19 schools for Socioeconomically Disadvantaged students; 16 of 19 schools for English Learner students; and 3 of 19 schools for Students with Disabilities.

Proficiency Rates-Annual Measureable Objectives

Proficiency rates are based on a school's CST results in ELA and Math and reported on the Adequate Yearly Progress (AYP) report as Percent Proficient-Annual Measureable Objectives.

The 2013 proficiency goals were 89.2% for ELA and 89.5% for math. WAYS proficiency rate was 44.4% in ELA and 59.6% in math.

2013 Proficiency Rates: WAYS and Resident Schools*			
School	% Proficient ELA	School	% Proficient Math
NCLB Goal	89.20%	NCLB Goal	89.50%
96th Street	54.7	96th Street	69.8
Russell	45.8	WAYS	59.60%
WAYS	44.40%	Russell	56.9
Parmelee Ave	40.9	Parmelee Ave	54
McKinley Ave	39.5	Wisdom Elem.	52.2
South Park	39.1	Dr. Owen Knox	49.8
Wisdom Elem.	36.6	McKinley Ave	48.6
Dr. Owen Knox	35.6	South Park	46.6
Miramonte	34.4	Miramonte	41.9
93rd Street	31	Judith F. Baca	41.9
107th Street	29.3	93rd Street	40.2
Judith F. Baca	27	107th Street	35.1
75th St.	--	75th St.	--
95th St.	--	95th St.	--
*Based on WAYS' 2013-14 enrollment lists submitted to the LACOE Charter School Office in October 2013; all resident schools are within LAUSD.			

Analysis: WAYS outperforms 9 of the compared resident schools in percentage of proficient students in ELA; and outperforms 10 of the compared resident schools in percentage of proficient students in math. (Data for 75th Street and 95th Street elementary schools were not provided at the time of this report.)

2012-13 Proficiency Rates: WAYS and Comparison Schools*			
School	% Proficient ELA	School	% Proficient Math
NCLB Goal	89.20%	NCLB Goal	89.50%
Maywood	64.40%	Brooklyn Ave.	73.60%
Frederick Douglass Academy^	59.10%	Maywood	76.40%

Brooklyn Ave.	58.10%	Santa Monica Blvd. Com. Charter^	66.20%
Cienega	53.80%	Lassen	64.70%
Yorkdale	52.30%	Grand View Blvd.	64.50%
Santa Monica Blvd. Com. Charter^	49.90%	Cienega	62.70%
Grand View Blvd.	48.40%	Limerick Ave	60.60%
Lassen	47.40%	WAYS^	59.60%
Jaime Escalante	46.60%	Union Ave.	59.50%
Vinedale	46.50%	Yorkdale	59.10%
Miles Ave	45.40%	Vinedale	57.70%
Bassett St.	44.60%	Haddon Ave.	57.50%
WAYS^	44.40%	Bassett St.	57.40%
Union Ave.	44.20%	Miles Ave	57.30%
Limerick Ave	44.00%	Camellia Ave.	53.80%
Lenicia B. Weemes	43.90%	Lenicia B. Weemes	53.40%
Haddon Ave.	43.80%	Jaime Escalante	53.10%
Rosemont	42.70%	Rosemont	50.50%
Camellia Ave.	37.70%	Frederick Douglass Academy^	50.10%
Harrison St.	30.20%	Harrison St.	43.80%
*LAUSD comparison schools based on WAYS' 2012 Similar School Report ^=Charter school			

Analysis: WAYS outperforms 7 out of 19 of compared 'similar' schools in percentage of proficient students in ELA; and outperforms 12 out of 19 of compared 'similar' schools in percentage of proficient students in math.

English Learner Redesignation Rates

For school-year 2013-14, WAYS redesignated 0.9% of its EL population to Redesignated-Fluent English Proficient (R-FEP) status.

2013-14 EL Redesignation Rates: WAYS and Resident Schools*		
School	% Redesignated	% English Learners
Dr. Owen Knox	17.40%	42.60%
107th Street	16.70%	47.10%
Judith F. Baca	16.10%	47.40%
96th Street	15.80%	38.40%
Russell	15.00%	51.50%
Parmelee Ave	11.00%	45.50%
Miramonte	12.20%	57.50%

93rd Street	11.60%	49.50%
Wisdom Elem.	10.80%	50.30%
McKinley Ave	10.80%	49.70%
South Park	9.90%	47.30%
WAYS	0.90%	30.90%
75th St.	--	--
95th St.	--	--
LAUSD	13.90%	27.40%
LA County	13.30%	23.80%
State	12.00%	22.70%
*Based on WAYS' 2013-14 enrollment lists submitted to the LACOE Charter School Office in October 2013; all resident schools are within LAUSD.		

Analysis: WAYS faced procedural challenges during the course of changes of key personnel who specifically administrated the CELDT and EL population during 2011-12 and 2013-14.

2013-14 English Learner Redesignation Rates: WAYS and Comparison Schools*		
School	% Reclassified	% English Learners
Brooklyn Ave.	78.10%	33.30%
Yorkdale	19.80%	24.60%
Rosemont	19.10%	40.20%
Maywood	18.70%	41.50%
Lenicia B. Weemes	17.10%	38.30%
Cienega	15.40%	49.90%
Haddon Ave.	15.00%	45.10%
Vinedale	14.50%	43.00%
Harrison St.	14.40%	46.80%
Camellia Ave.	13.80%	48.40%
Union Ave.	12.80%	65.70%
Grand View Blvd.	12.40%	48.30%
Limerick Ave	11.30%	49.30%
Lassen	10.90%	44.00%
Bassett St.	10.80%	51.20%
Jaime Escalante	10.00%	52.70%
Miles Ave	9.20%	57.50%

WAYS^	0.90%	15.00%
Frederick Douglass Academy^	0%	7.00%
Santa Monica Blvd. Com. Charter^	0%	63.80%
*LAUSD comparison schools based on WAYS' 2012 Similar School Report ^=Charter school		

Analysis: WAYS faced procedural challenges during the course of changes of key personnel who specifically administrated the CELDT and EL population during 2011-12 and 2013-14.

Three-Year Trend Data: To provide a more complete picture of the academic performance of **all** public elementary schools located in the “community,” the table below contains the 2012-13 Academic Performance Index Score. In the absence of a 2014 Growth API, Assembly Bill (AB) 484 directs all schools to use one of three methods, the first being to use *“the most recent API calculation”*, for 2013-14.

Based on the most recent API calculation, WAYS outperforms 49 of 67 (73%) schools within a 3-mile radius of the WAYS campuses.

Additionally, based on October 2013 enrollment data, at least 70.35% of WAYS students would otherwise likely attend a school with a lower school-wide API. The remaining students would attend a school more than 3 miles from WAYS.

The table below provides API data for WAYS and **all** public schools within a three-mile radius.

WAYS Academic Performance Index Comparison to all public elementary schools within a 3-mile radius		
School	API 2012-13 Growth	Distance in miles within a 3-mile radius
KIPP Empowerment Acad.^	991+	2.26
Kipp Comienza	978	2.69
Celerity Dyad	871	2.97
122nd St.	842	2.69
Watts Learning Center^	840	1.14
Florence Ave.	823	1.75
96th St.	811	1.11
92nd	809	1.6
Madison	802	2.93
Lou Dantzler	796	2.86
Middleton St.	793	2.41
Aspire Slauson	783	2
Liberty Bl.	781	2.37
Aspire Inskeep	776	2

61 st St.	775	2.08
Walnut Park	775	2.29
118 th St.	774	2.4
WAYS	769	--
Academia Moderna^	768	1.99
Lillian St.	768	2.28
Montara Ave	768	2.75
Miles Ave	768	2.85
Manchester Av	764	1.35
75 th St.	763	1
Aurora	763	2.45
Stanford Ave.	761	2.5
Russell	760	0.6
95 th St	757	2.08
Ritter	753	2.68
Aspire Juanita Tate	752	2
116 th St.	752	2.21
Parmelee	747	1
Main St.	744	2.46
Figueroa St.	743	2.12
66 th St.	739	1.43
Wisdom	737	1.02
State St.	735	2.96
Estrella	733	2.39
Manhattan Pl	731	2.88
Budlong Ave	725	2.67
South Park	723	0.27
68 th St.	723	1.76
McKinley Av	721	0.58
Dr. Owen Knox	718	0.75
Compton Ave.	714	1.55
Charles Barrett	711	1.35
Grape St	709	2.29
Miramonte	708	1.48
Raymond Ave	702	2.2
Graham	701	1.46
L. Miller	700	1.62
52 nd St.	698	2.91
93 rd St	695	0.65
Holmes Ave	693	2.75
109 th St.	691	1.6
J. Baca	679	1

49th St.	676	2.69
Hooper Ave	675	2.56
Lovelie P. Flourney	672	2.02
107th St.	670	1.54
Weigand Ave	662	2.29
112th St.	642	1.9
La Salle Ave	628	2.49
Woodcrest	626	2.53
Carver	624	2.62
Barack Obama	620	2.52
Florence G. Joyner	618	1.86
WAYS 2012-13 API ranks 18th compared to all 69 LAUSD and Charter K-5 schools within a 3-mile radius of 706 East Manchester Avenue Los Angeles Ca. 90001		
^ Indicates charter school + Indicates school does not have a 3-year average API. Score listed is the 2013 Growth API. — No data available Source: CDE DataQuest http://www.cde.ca.gov/ds/ . Retrieved 12-15-14.		

Wisdom Academy for Young Scientists Report - CELDT (CA D...

<http://dq.cde.ca.gov/dataquest/CELDT/results.aspx?year=2011-...>



California Department of Education
Assessment Development and Administration Division

CELDT Reporting Home » Reports » School Report

California English Language Development Test (CELDT) Wisdom Academy for Young Scientists

Year: 2011-2012 ▾

State: CALIFORNIA

County: Los Angeles

District: Wisdom Academy for Young Scientists

School: Wisdom Academy for Young Scientists

Assessment: Initial Assessment ▾

Subgroup:

All Students ▾

Report Type: Test Results ▾

Note: The first row in each table contains numbers 1 through 12 which represent Grade 1 through Grade 12 respectively. Additionally, K stands for Kindergarten.

Number and Percent of Students at Each Overall Performance Level

Performance Level	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
Advanced	(0.0%)	1 (4.0%)	1 (4.0%)	2 (14.0%)	2 (15.0%)	1 (9.0%)								7 (6.0%)
Early Advanced	1 (3.0%)	4 (17.0%)	7 (27.0%)	4 (29.0%)	6 (46.0%)	3 (27.0%)								25 (22.0%)
Intermediate	11 (38.0%)	14 (61.0%)	12 (46.0%)	4 (29.0%)	3 (23.0%)	5 (45.0%)								49 (42.0%)
Early Intermediate	9 (31.0%)	3 (13.0%)	6 (23.0%)	3 (21.0%)	2 (15.0%)	1 (9.0%)								24 (21.0%)
Beginning	8 (28.0%)	1 (4.0%)		1 (7.0%)		1 (9.0%)								11 (9.0%)
Number Tested	29 (100.0%)	23 (100.0%)	26 (100.0%)	14 (100.0%)	13 (100.0%)	11 (100.0%)								116 (100.0%)

Domain Mean Scale Scores

Domain	K	1	2	3	4	5	6	7	8	9	10	11	12
Listening	369.1	428.3	488.8	514.3	547.1	505.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Speaking	366.9	447.6	500.4	549.4	520.8	512.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Reading	305.7	377.8	434.5	471.9	523.8	503.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Writing	361.0	394.9	459.5	440.6	508.6	502.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Notes:

- Subgroup options vary by year.
- Summary data is not provided when there are a total of three or fewer students tested in a particular subgroup (indicated by three asterisks ***).

Report generated: Thursday, December 18, 2014

Data last updated: Wednesday, May 2, 2012

2013 Growth API School Report - Wisdom Academy for Young...

<http://dq.cde.ca.gov/dataquest/Acnt2013/2013GrowthSch.aspx?a...>

[DataQuest home](#) > [Select School](#) > [School Reports](#) > Current Page

2012-13 Accountability Progress Reporting (APR)



School Report - API Growth and Targets Met 2013 Growth Academic Performance Index (API) Report

California Department of Education
Analysis, Measurement, &
Accountability Reporting Division
7/29/2014

School: Wisdom Academy for Young Scientists
LEA: Los Angeles County Office of E
County: Los Angeles
CDS Code: 19-10199-0112730
School Type: Elementary

2013 Growth API Links:

3 - Year Average

School Chart

School Demographic Characteristics

School Content Area Weights

LEA List of Schools

County List of Schools

(An LEA is a school district, county
office of education, or statewide benefit

Direct Funded Charter School: Yes

2012-13 APR		2012-13 State API			2013 Federal AYP and PI		
Summary	Glossary	Base	Guide	Growth	AYP	PI	Guide

Met Growth Targets

Schoolwide: Yes
All Student Groups: Yes
All Targets: Yes

2013 Statewide Rank: 3 2013 Similar Schools Rank: 7

Groups

	Number of Students Included in 2013 API	Numerically Significant in Both Years	2013 Growth	2012 Base	2012-13 Growth Target	2012-13 Growth	Met Growth Target
Schoolwide	277		769	715	5	54	Yes
Black or African American	149	No	739	723			
American Indian or Alaska Native	0	No					
Asian	0	No					
Filipino	0	No					
Hispanic or Latino	125	Yes	801	729	5	72	Yes
Native Hawaiian or Pacific Islander	1	No					
White	0	No					
Two or More Races	2	No					
Socioeconomically Disadvantaged	271	Yes	765	714	5	52	Yes
English Learners	81	No	786	701			
Students with Disabilities	26	No	574	564			

In order to meet federal requirements of the Elementary and Secondary Education Act (ESEA), a 2013 Growth API is posted even if a school or LEA had no 2012 Base API or if a school had significant population changes from 2012 to 2013. However, the presentation of growth targets and actual growth would not be appropriate and, therefore, are omitted.

"N/A"	means a number is not applicable or not available due to missing data.
"**"	means this API is calculated for a small school, defined as having between 11 and 99 valid Standardized Testing and Reporting (STAR) Program test scores included in the API. The API is asterisked if the school was small in either 2012 or 2013. APIs based on small numbers of students are less reliable and, therefore, should be carefully interpreted.
"A"	means the school or Student Groups scored at or above the statewide performance target of 800 in the 2012 Base.
"B"	means the school did not have a valid 2012 Base API and will not have any growth or target information.
"C"	means the school had significant demographic changes and will not have any growth or target information.
"D"	means this is either an LEA, or a special education school. Target information is not applicable to LEAs or special education schools.
"I"	means the school had some invalid data at the student group level and the California Department of Education cannot calculate a valid rank for this school.

Missing Statewide and Similar Schools Ranks – LEAs, Alternative Schools Accountability Model (ASAM) schools, and special education schools do not receive statewide or similar schools ranks. Schools with less than 100 valid test scores do not receive a similar schools rank.

Targets Met - In the "Met Growth Target" columns, the growth targets reflect state accountability requirements and do not match the federal Adequate Yearly Progress (AYP) requirements. The AYP requirement for the API is a 2013 Growth API of 770 or a one-point increase from the 2012 Base API to 2013 Growth API for a school or LEA.

Two or More Races: – "Two or More Races" student group. Assessment results for students without valid Statewide Student Identifiers (SSIDs) were assigned to this student group.

Missing All Student Data – All subgroup data are missing if the LEA informed the CDE of a potential data error in at least one race or ethnicity category.

Missing Special Population Student Data – Socioeconomically Disadvantaged and English Learners students groups with missing API data and a "No" under the "Met Student Growth Target" column indicates that there was a decrease in the number of students in the group by at least 20 percent from the 2012 Base API to the 2013 Growth API, or the LEA reported a potential data error

2013 Growth API School Report - Wisdom Academy for Young...

<http://dq.cde.ca.gov/dataquest/Acnt2013/2013GrowthSch.aspx?a...>

with one or more these student groups. Demographic data corrections made through the California Longitudinal Pupil Achievement Data System (CALPADS) or assessment-related data corrections (such as statewide student identifiers or fields specific to the testing administration process) made through the testing contractor will be reflected in the updated API reports released in March 2014.



TOM TORLAKSON
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

April 2, 2014

Dear County and District Superintendents, Charter School Administrators:

CHANGES IN ACADEMIC ACCOUNTABILITY REPORTING

The purpose of this letter is to provide an update regarding federal and state academic accountability reporting requirements.

Academic Performance Index

On March 13, 2014, the State Board of Education (SBE) approved not to calculate the 2014 Growth and Base Academic Performance Indexes (APIs) and 2015 Growth APIs for elementary, middle, and high schools, and local educational agencies (LEAs). Since the first Smarter Balanced assessment results will be available after the spring 2015 administration of the assessments, Base to Growth comparisons will be reported in 2015–16. Specifically, the 2016 Smarter Balanced assessment results will be used to calculate the 2016 Growth API for comparison to the 2015 Base API.

Assembly Bill (AB) 484, amended California *Education Code* (EC) sections 52052(2)(F) and 52052(4)(B). As a result, schools and LEAs that do not have an API calculated in 2013–14 and 2014–15 shall use one of the following to meet legislative and/or programmatic requirements: (a) the most recent API calculation; (b) an average of the three most recent annual API calculations; or (c) alternative measures that show increases in pupil academic achievement for all groups of pupils school wide and among significant student groups.

The California Department of Education (CDE) will produce a 3-year API average for schools and school districts in the spring of 2014.

Finally, AB 97, Chapter 47, Statutes 2013, California EC Section 52056(a) requiring API ranking of schools was repealed. As a result, for 2013 and beyond, statewide and similar schools ranks will no longer be produced.

Adequate Yearly Progress

On March 13, 2014, the SBE approved three amendments to California's Accountability Workbook:

- A numerically significant student group is now defined as having 30 or more students.

April 2, 2014
Page 2

- An additional extended-year cohort graduation rate (i.e., six-year cohort rate) will be used as another alternative method to meeting the graduation rate criteria for LEAs, schools, and student groups.
- Use of the API as an additional indicator for high schools was eliminated.

On March 7, 2014, the U.S. Department of Education approved California's testing waiver for certain statutory and regulatory requirements of Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended. Specifically, a one-year waiver was granted that allows flexibility in making Adequate Yearly Progress (AYP) determinations for schools and LEAs participating in the Smarter Balanced assessment field test.

- The CDE will **not** produce a 2014 AYP report for elementary and middle schools and elementary and unified school districts. Therefore, the Program Improvement (PI) status for these schools and districts will not change. Schools will not enter or exit PI. However, schools will continue to implement the PI requirements associated with their current PI status. (PI Year 1 must continue to offer school choice, e.g.). Additional information on PI requirements can be found on the CDE PI Web page at <http://www.cde.ca.gov/ta/ac/ti/programimprov.asp>.
- The CDE, however, will continue to make AYP determinations for any high schools serving only grades nine through twelve and high school districts based on achievement results from the grade ten CAHSEE and CAPA. The AYP will be used to identify PI status for these high schools and high school districts.

If you have any questions regarding academic accountability, please contact Jenny Singh, Administrator, Academic Accountability Unit, by phone at 916-319-0863 or by e-mail at jsingh@cde.ca.gov. If you have questions regarding Title I Program Improvement requirements, please contact Keith Coppage, Administrator, District Innovation and Improvement Office, by phone at 916-319-0599 or by e-mail at kcoppage@cde.ca.gov.

Sincerely,

/s/

Deborah V. H. Sigman, Deputy Superintendent of Public Instruction
District, School, and Innovation Branch

KA:tm

cc: Accountability Coordinators

2012 Base API School Report (CA Department of Education)

<http://dq.cde.ca.gov/dataquest/Acnt2013/2012BaseSchSS.aspx?a...>

[DataQuest home](#) > [Select School](#) > [School Reports](#) > Current Page

2012-13 Accountability Progress Reporting (APR)



Similar Schools Report 2012 Base Academic Performance Index (API) Report

California Department of Education
Analysis, Measurement, &
Accountability Reporting Division
6/25/2013

School: Wisdom Academy for Young Scientists
LEA: Los Angeles County Office of E
County: Los Angeles
CDS Code: 19-10199-0112730
School Type: Elementary

2012 Base API Links:

[School Base API, Ranks, and Targets](#)

[School Demographic Characteristics](#)

[School Content Area Weights](#)

[LEA List of Schools](#)

[County List of Schools](#)

(An LEA is a school district, county office of education, or statewide benefit charter.)

Direct Funded Charter School: Yes

2012-13 APR		2012-13 State API			2013 Federal AYP and PI		
Summary	Glossary	Base	Guide	Growth	AYP	PI	Guide

		Ranks		Targets	
Number of Students Included in the 2012 API	2012 Base API	2012 Statewide Rank	2012 Similar Schools Rank	2012-13 Growth Target	2013 API Target
282	715	1	1	5	720

"N/A" means a number is not applicable or not available due to missing data.

"A" means the school scored at or above the statewide performance target of 800 in 2012.

For a further description of similar schools, please refer to the [2012-13 APR Glossary-Base API](#).

The API scale is 200-1000. Only scores for students continuously enrolled in the school from the October 2011 California Longitudinal Pupil Achievement Data System (CALPADS) census date to the 2012 testing date without a gap in enrollment of more than 30 consecutive calendar days are included in the calculation.

[Create and download](#) a data file (delimited ascii format) of these 100 similar schools.

100 Similar Schools

Listed alphabetically by county, school district, and school name.

CDS Code	County	School District	School	2012 Base API
01-61192-6001127	Alameda	Hayward Unified	Ruus Elementary	673

2012 Base API School Report (CA Department of Education)

<http://dq.cde.ca.gov/dataquest/Acnt2013/2012BaseSchSS.aspx?a...>

01-61200-6001234	Alameda	Livermore Valley Joint Unified	Junction K-8	765
01-61259-0111476	Alameda	Oakland Unified	Achieve Academy	795
01-61259-0109983	Alameda	Oakland Unified	World Academy	805
07-61754-6004154	Contra Costa	Mt. Diablo Unified	Meadow Homes Elementary	708
07-61788-6004535	Contra Costa	Pittsburg Unified	Highlands Elementary	767
08-61820-6005375	Del Norte	Del Norte County Unified	Bess Maxwell Elementary	741
10-62166-0108100	Fresno	Fresno Unified	Molly S. Bakman Elementary	736
10-62166-6006548	Fresno	Fresno Unified	Vinland Elementary	746
11-75481-6007488	Glenn	Oriand Joint Unified	Mill Street Elementary	762
15-63321-6009161	Kern	Bakersfield City	Voorhies Elementary	799
15-63362-6108187	Kern	Panama-Buena Vista Union	Roy W. Loudon Elementary	734
19-64212-6010862	Los Angeles	ABC Unified	Aloha Elementary	771
19-73437-6120877	Los Angeles	Compton Unified	Clinton, William Jefferson	822
19-64501-6013155	Los Angeles	El Monte City Elementary	Columbia Elementary	840
19-73445-6022263	Los Angeles	Hacienda la Puente Unified	Grandview, College Preparatory Academy	798
19-73445-6014302	Los Angeles	Hacienda la Puente Unified	Nelson Elementary	774
19-64592-6013957	Los Angeles	Hawthorne	Eucalyptus	801
19-64725-6015184	Los Angeles	Long Beach Unified	Burbank Elementary	794
19-64725-6015325	Los Angeles	Long Beach Unified	Garfield Elementary	790
19-64725-6015622	Los Angeles	Long Beach Unified	Stevenson Elementary	813
19-10199-0112730	Los Angeles	Los Angeles County Office of E	Wisdom Academy for Young Scientists	715
19-64733-6015960	Los Angeles	Los Angeles Unified	Bassett Street Elementary	785
19-64733-6016141	Los Angeles	Los Angeles Unified	Brooklyn Avenue Elementary	814
19-64733-6016273	Los Angeles	Los Angeles Unified	Camellia Avenue Elementary	721
19-64733-6016489	Los Angeles	Los Angeles Unified	Cienega Elementary	768
19-64733-0117952	Los Angeles	Los Angeles Unified	Frederick Douglass Academy Elementary	730
19-64733-6017347	Los Angeles	Los Angeles Unified	Grand View Boulevard Elementary	775
19-64733-6017412	Los Angeles	Los Angeles Unified	Haddon Avenue Elementary	789
19-64733-6017487	Los Angeles	Los Angeles Unified	Harrison Street Elementary	705
19-64733-0122168	Los Angeles	Los Angeles Unified	Jaime Escalante Elementary	735
19-64733-6017792	Los Angeles	Los Angeles Unified	Lassen Elementary	769
19-64733-6019483	Los Angeles	Los Angeles Unified	Leticia B. Weemes Elementary	741
19-64733-6017883	Los Angeles	Los Angeles Unified	Limerick Avenue Elementary	757
19-64733-0109363	Los Angeles	Los Angeles Unified	Maywood Elementary	872
19-64733-6018170	Los Angeles	Los Angeles Unified	Miles Avenue Elementary	803
19-64733-6018972	Los Angeles	Los Angeles Unified	Rosemont Avenue Elementary	776
19-64733-6019079	Los Angeles	Los Angeles Unified	Santa Monica Boulevard Community Charter	743
19-64733-6019624	Los Angeles	Los Angeles Unified	Union Avenue Elementary	762
19-64733-6019780	Los Angeles	Los Angeles Unified	Vinedale Elementary	752
19-64733-6020069	Los Angeles	Los Angeles Unified	Yorkdale Elementary	813
19-64808-6020549	Los Angeles	Montebello Unified	Joseph A. Gascon Elementary	728
19-64808-6020689	Los Angeles	Montebello Unified	Winter Gardens Elementary	727
19-64840-6021091	Los Angeles	Norwalk-La Mirada Unified	Arturo Sanchez Elementary	749
24-75317-6025431	Merced	Dos Palos Oro Loma Joint Unifi	Dos Palos Elementary	761
24-65748-6025522	Merced	Livingston Union Elementary	Selma Herndon Elementary	829
29-66399-6027189	Nevada	Ready Springs Union Elementary	Ready Springs Elementary	766
30-66423-6116123	Orange	Anaheim City	Westmont Elementary	768
30-66522-6028716	Orange	Garden Grove Unified	R. F. Hazard Elementary	839
30-66589-6029110	Orange	Magnolia Elementary	Albert Schweitzer Elementary	807
30-66597-6029300	Orange	Newport-Mesa Unified	College Park Elementary	763
30-66621-6029755	Orange	Orange Unified	Cambridge Elementary	775

2012 Base API School Report (CA Department of Education)

<http://dq.cde.ca.gov/dataquest/Acnt2013/2012BaseSchSS.aspx?a...>

30-66670-6071195	Orange	Santa Ana Unified	Taft Elementary	794
33-66977-6108104	Riverside	Alvord Unified	Valley View Elementary	795
33-66985-6031637	Riverside	Banning Unified	Hoffer Elementary	825
33-75176-6032056	Riverside	Lake Elsinore Unified	Machado Elementary	788
33-67124-6110928	Riverside	Moreno Valley Unified	Seneca Elementary	767
34-67314-6032981	Sacramento	Elk Grove Unified	Anna Kirchgaier Elementary	740
34-76505-6033609	Sacramento	Twin Rivers Unified	Sierra View Elementary	752
35-67470-6114557	San Benito	Hollister	Gabilan Hills	767
36-75077-6035240	San Bernardino	Apple Valley Unified	Mariana Elementary	780
36-67678-6035588	San Bernardino	Chino Valley Unified	Walnut Avenue Elementary	740
36-67710-6035851	San Bernardino	Fontana Unified	Palmetto Elementary	729
36-67710-6035869	San Bernardino	Fontana Unified	Poplar Elementary	770
36-67710-6120042	San Bernardino	Fontana Unified	Ted Porter Elementary	800
36-75044-6035968	San Bernardino	Hesperia Unified	Eucalyptus Elementary	765
36-75044-6035950	San Bernardino	Hesperia Unified	Juniper Elementary	864
36-67819-6036149	San Bernardino	Ontario-Montclair Elementary	Bon View Elementary	719
36-67850-6036636	San Bernardino	Rialto Unified	Dunn Elementary	739
36-67876-6036859	San Bernardino	San Bernardino City Unified	Davidson Elementary	729
36-67876-6037154	San Bernardino	San Bernardino City Unified	Vermont Elementary	727
37-68023-6037964	San Diego	Chula Vista Elementary	Finney (Myrtle S.) Elementary	845
37-68023-6037931	San Diego	Chula Vista Elementary	Rice (Lillian J.) Elementary	809
37-68098-6038251	San Diego	Escondido Union	Rose Elementary	733
37-68338-6039515	San Diego	San Diego Unified	Encanto Elementary	781
37-68338-6039929	San Diego	San Diego Unified	Perkins K-8	734
37-68338-6040257	San Diego	San Diego Unified	Valencia Park Elementary	767
37-68379-6085146	San Diego	San Ysidro Elementary	Smythe Elementary	818
38-68478-6040836	San Francisco	San Francisco Unified	Cleveland Elementary	674
38-68478-6041412	San Francisco	San Francisco Unified	Marshall Elementary	770
39-68585-6104038	San Joaquin	Lodi Unified	Creekside Elementary	749
39-68585-6100341	San Joaquin	Lodi Unified	Oakwood Elementary	690
39-68585-6098057	San Joaquin	Lodi Unified	Victor Elementary	700
39-68585-6109839	San Joaquin	Lodi Unified	Westwood Elementary	758
39-68593-6115414	San Joaquin	Manteca Unified	Great Valley Elementary	750
41-69070-6045082	San Mateo	South San Francisco Unified	Los Cerritos Elementary	814
43-69575-6047831	Santa Clara	Moreland Elementary	Leroy Anderson Elementary	817
43-69617-6048045	Santa Clara	Mt. Pleasant Elementary	Ida Jew Academies	834
43-69666-6048425	Santa Clara	San Jose Unified	Almaden Elementary	773
43-69674-6049019	Santa Clara	Santa Clara Unified	Scott Lane Elementary	762
45-75267-0110221	Shasta	Gateway Unified	Shasta Lake	821
48-70540-6051163	Solano	Fairfield-Suisun Unified	Fairview Elementary	778
49-70904-6052096	Sonoma	Roseland Elementary	Sheppard Elementary	813
49-70953-6052260	Sonoma	Sonoma Valley Unified	El Verano Elementary	701
50-71217-6052922	Stanislaus	Patterson Joint Unified	Grayson Charter	811
51-71399-6053284	Sutter	Live Oak Unified	Luther Elementary	764
54-75523-6107379	Tulare	Porterville Unified	Los Robles Elementary	797
54-72082-6114672	Tulare	Richgrove Elementary	Richgrove Elementary	704
56-72462-6055099	Ventura	Hueneme Elementary	Parkview Elementary	718
56-72512-6055180	Ventura	Ocean View	Tierra Vista Elementary	727
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Questions: Academic Accountability Team | aaucde@cdede.ca.gov | 916-319-0863.

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