

# YUBA COUNTY BOARD OF EDUCATION

935 14th Street  
Marysville, CA 95901

## Agenda

August 10, 2022



Marjorie Renicker, President

John Nicoletti

Carlton Ashlock

Desiree Hastey

Eva Teagarden, Vice President

Trustee Area 1

Trustee Area 2

Trustee Area 3

Trustee Area 4

Trustee Area 5



Francisco Reveles, Ed.D.  
Superintendent

**YUBA COUNTY BOARD OF EDUCATION**  
**REGULAR MEETING**  
**Wednesday, August 10, 2022 – 4:30p.m.**  
Yuba County One Stop, Beckwourth Room  
1114 Yuba Street, Marysville, CA 95901

PUBLIC COMMENTS: Persons wishing to address the Board (Agenda Items and/or Non-Agenda Items) are requested to fill out a “Request to Speak” card before the start of the meeting and give it to the Secretary, Board President, or Superintendent. Individual speakers will be allowed five minutes to address the Board - fifteen minutes total time for public input on each item.

**AGENDA**

1. CALL TO ORDER, ATTENDANCE, AND PLEDGE OF ALLEGIANCE
2. PUBLIC COMMENTS

This item is being placed on the agenda to allow any member of the public to speak on agenda items and non-agenda items or to share information with the Board.

The California Government Code, Section 54954.2(a)(2) states, “No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.”

3. APPROVAL OF AGENDA **ACTION ITEM**
4. CONSENT AGENDA **ACTION ITEM**
  - 4.1 APPROVAL OF JULY 13, 2022, BOARD MINUTES – Pages 1-3
  - 4.2 TEMPORARY COUNTY TEACHER CERTIFICATES – Page 4
  - 4.3 ADOPTION OF REVISED YUBA COUNTY OFFICE OF EDUCATION SPECIAL EDUCATION PROGRAMS SCHOOL CALENDAR FOR 2022-2023 – Pages 5-6
  - 4.4 ADOPTION OF CARDEN AND TEM SCHOOL CALENDARS FOR 2022-2023 - Pages 7-8

The above items are self-explanatory. All items on the Consent Agenda are considered a routine item or one that has been previously discussed. Any Board Member may request that an item be pulled for further discussion.

5. SUPERINTENDENT’S REPORT
  - 5.1 THIS ITEM PROVIDES AN OPPORTUNITY FOR THE DIRECTORS/SUPERINTENDENT/BOARD MEMBERS TO SHARE VARIOUS ITEMS OF INTEREST **INFORMATION ITEM**
  - 5.2 MEMORIAL PLANNING UPDATE **INFORMATION ITEM**  
Halee Pomeroy

6. EDUCATIONAL SERVICES

- 6.1 DETERMINATION HEARING YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY MATERIAL REVISION **INFORMATION ITEM**  
Barbara Mandelbaum - Pages 9-25

Yuba Environmental Science Charter Academy (YES) has submitted a request for material revision of its charter to expand grades level from TK-8 to include grades 9-12 beginning August 2022. These changes are defined as “material”. Education Code 47607 requires the process for approval of material revisions to follow that for initial charter petitions in Education Code 47605. This public hearing allows the petitioners equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings.

Following the public hearing, the Yuba County Board of Education will make a determination on the Yuba Environmental Science Charter Academy request for material revision.

- 6.2 BOARD DECISION ON THE YUBA ENVIRONMENTAL SCIENCE CHARTER ACADEMY REQUEST FOR MATERIAL REVISION – Pages 9-25 **ACTION ITEM**  
Barbara Mandelbaum

Yuba Environmental Science Charter Academy (YES) has submitted a request for material revision of its charter to expand grades level from TK-8 to include grades 9-12 beginning August 2022. These changes are defined as “material”. Education Code 47607 requires the process for approval of material revisions to follow that for initial charter petitions in Education Code 47605.

The Yuba County Board of Education will make a determination and either approve or deny the Yuba Environmental Science Charter Academy request for material revision.

- 6.3 YUBA COUNTY CAREER PREPARATORY CHARTER SCHOOL (YCCPCS) 2022-23 LCAP **INFORMATION ITEM**  
Cynthia Soares & Shelly Arvizu

- 6.4 YUBA COUNTY CAREER PREPARATORY CHARTER SCHOOL (YCCPCS) 2022-23 UPK PLANNING AND IMPLEMENTATION GRANT **INFORMATION ITEM**  
Cynthia Soares

7. CLOSED SESSION

- 7.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS **ACTION ITEM**  
Government Code 54956.8  
Property: 935 14th Street, Marysville, CA 95901; 1128 Yuba Street, Marysville, CA 95901; 103 D Street, Marysville, CA 95901; 1114 Yuba Street, Marysville, CA 95901  
COE Negotiator: Dr. Francisco Reveles  
Negotiating Parties: Yuba County Board of Education; Yuba County Office of Education; County of Yuba  
Under Negotiation: Logistics, Price, and Terms of Payment

7.2 RECONVENE IN OPEN SESSION  
REAL PROPERTY NEGOTIATIONS

**ACTION ITEM**

Action taken: \_\_\_\_\_  
(Report if County Board approves a final agreement concluding real estate negotiations. If final approval rests with the other party, report as soon as the other party has approved the agreement.)

8. ADVANCED PLANNING

8.1 NEXT REGULAR BOARD MEETING  
SEPTEMBER 14, 2022 – 4:30P.M.  
LOCATION: YUBA COUNTY ONE STOP,  
BECKWOURTH ROOM, 1114 YUBA STREET, MARYSVILLE, CA 95901

**INFORMATION/  
ACTION ITEM**

9. ADJOURN

**ACTION ITEM**

**YUBA COUNTY BOARD OF EDUCATION  
REGULAR MEETING MINUTES**

Wednesday, July 13, 2022 – 4:30pm

Yuba County One Stop, Beckwourth Room, 1114 Yuba Street, Marysville, CA 95901

TOPIC	DISCUSSION	ACTION TAKEN
<b>1. CALL TO ORDER</b>	President Marjorie Renicker called a regular meeting of the Yuba County Board of Education to order at 4:30pm on July 13, 2022, at the Yuba County One Stop, Beckwourth room, 1114 Yuba Street, Marysville, CA.	<b>CALLED TO ORDER:</b> 4:30pm
<b>ATTENDANCE, PLEDGE OF ALLEGIANCE</b>	Present were Marjorie Renicker, John Nicoletti (4:32pm), Carlton Ashlock, Desiree Hastey and Eva Teagarden.  Trustee Ashlock led the recital of the Pledge of Allegiance.	<b>QUORUM PRESENT</b>
<b>2. PUBLIC COMMENTS</b>	There were no public comments.	
<b>3. APPROVAL OF AGENDA</b>	President Renicker directed Board members to the July 13, 2022, Agenda for their review and approval.  President Renicker requested that agenda items 7.2 and 7.3 be pulled from the regular agenda.	<b>MOTION:</b> To approve the July 13, 2022, Agenda with the removal of items 7.2 and 7.3. <b>MOTION:</b> Desiree Hastey <b>SECOND:</b> Eva Teagarden <b>MOTION APPROVED (4/4)</b>
<b>4. CONSENT AGENDA</b>	President Renicker directed board members to the July 13, 2022, Consent Agenda for their review and approval.  4.1 Approval of June 15, 2022, Board Minutes 4.2 Approval of June 22, 2022, Board Minutes 4.3 Temporary County Teacher Certificates	<b>MOTION:</b> To approve the July 13, 2022, Consent Agenda as presented <b>MOTION:</b> Desiree Hastey <b>SECOND:</b> Eva Teagarden <b>MOTION APPROVED (4/4)</b>
<b>5. PUBLIC HEARING</b>	<b>5.1 Student Interdistrict Appeal Hearing</b>  President Renicker called an interdistrict attendance appeal hearing to order at 4:32pm. The Board has convened to hear the appeal of Canon Houser, a student at the Wheatland Union High School District, the district of residence.	<b>TRUSTEE NICOLETTI JOINED THE MEETING:</b> 4:32pm  <b>APPEAL HEARING CALLED TO ORDER:</b> 4:32pm

	<p>The hearing took take place in open session.</p> <p>Board members introduced themselves. The student’s mother Lorina Morales introduced herself. There were no district representatives present during the hearing.</p> <p>Ms. Morales addressed the board regarding the appeal. Board members asked clarifying questions.</p> <p>Upon a motion by Eva Teagarden, and duly seconded by Desiree Hastey, President Renicker declared the hearing closed at 4:46pm.</p> <p>The Board deliberated and decided as to the deposition of the appeal as follows:</p> <ul style="list-style-type: none"> <li>• The appeal is denied, based upon its merits. The student, Camon Houser, shall attend school in the Wheatland Union High School District, the district of residence, for the 2022-2023 school year.</li> </ul>	<p><b>MOTION:</b> To close the interdistrict appeal hearing  <b>MOTION:</b> Eva Teagarden  <b>SECOND:</b> Desiree Hastey  <b>APPEAL HEARING ADJOURNED:</b> 4:46pm  <b>(5/5)</b></p> <p><b>MOTION:</b> To deny the interdistrict attendance appeal for student Camon Houser, based upon its merits  <b>MOTION:</b> Desiree Hastey  <b>SECOND:</b> Carlton Ashlock  <b>AYES:</b> Marjorie Renicker; Carlton Ashlock; Desiree Hastey  <b>NOES:</b> John Nicoletti; Eva Teagarden  <b>MOTION APPROVED (3/5)</b></p>
<p><b>6. SUPERINTENDENT’S REPORT</b></p>	<p><b>6.1 Quarterly Report on Williams Uniforms Complaints</b></p> <p>Bobbi Abold, Assistant Superintendent of Instruction, reviewed the 4<sup>th</sup> Quarter Report on Williams Uniform Complaints. No complaints were filed April 1, 2022 – June 30, 2022.</p> <p><b>6.2 This Item Provides an Opportunity for the Directors/Superintendent/Board Members to Share Various Items of Interest</b></p> <p>Bobbi Abold introduced YCOE’s new Director of Curriculum and Instruction Sima Gandhi.</p> <p>Ms. Gandhi introduced herself to the Board.</p>	

	Trustee Nicoletti shared information on the local FFA program as it related to the 2022 Yuba Sutter Fair.	
<b>7. EDUCATIONAL SERVICES</b>	<p><b>6.1 Charter Authorization and Oversight Presentation</b></p> <p>Bobbi Abold introduced Barbara Mandelbaum of Mandelbaum Consulting. Ms. Mandelbaum joined the Board meeting via Zoom teleconference.</p> <p>Ms. Mandelbaum gave an informational presentation on charter authorizing and oversight, including the process for material revisions to existing charters.</p> <p>Board members asked questions that were addressed by Ms. Mandelbaum and Ms. Abold.</p>	
<b>8. ADVANCED PLANNING</b>	<p><b>8.1 Next Regular Board Meeting</b>  <b>August 10, 2022 – 4:30pm</b>  <b>Location: Yuba County One Stop,</b>  <b>Beckwourth Room, 1114 Yuba Street,</b>  <b>Marysville, CA 95901</b></p>	
<b>9. ADJOURNMENT</b>	There being no further business for discussion, the meeting adjourned at 6:02pm.	<p><b>MOTION:</b> To adjourn  <b>MOTION:</b> John Nicoletti  <b>SECOND:</b> Eva Teagarden  <b>MEETING</b>  <b>ADJOURNED:</b> 6:02pm</p>

Respectfully submitted,

*Francisco Reveles*

Francisco Reveles, Ed.D.  
Superintendent, Yuba County Office of Education

Recorded by:  
Halee Pomeroy

Temporary County Certificates Issued  
July 7, 2022 to August 5, 2022

<u>NAME</u>	<u>CREDENTIAL APPLIED FOR</u>	<u>PREV CRED</u>	<u>TCC EXPIRE</u>
Castillo, Britney	Preliminary Multiple Subject - OOS	No	12/31/2022
Dahl, Penny	Supplementary Autho - English	Yes	3/31/2023
Duenas, Lunden	Preliminary Administrative Services - Ext.	Yes	3/31/2023
Efimoff, Sophia	Special Education Limited Assignment Permit - ECSE	Yes	12/31/2022
Vang, Tou	General Education Limited Assignment Permit - Found-Level Math	Yes	1/31/2023





## 2022-2023 SCHOOL CALENDAR

YCOE Preschool Special Education Programs

180 Student Attendance Days - 182 Certificated Instructional Staff Workdays - 181 Classified Instructional Staff Workdays

JULY 2022					AUGUST					SEPTEMBER					OCTOBER				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
				1	1	2	3	4	5				1	2	3	4	5	6	7
4	5	6	7	8	((8))	(9)	<b>10</b>	11	12	5	6	7	8	9	10	11	12	13	14
11	12	13	14	15	15	16	*17*	18	19	12	13	14	15	16	17	18	*19*	20	21
18	19	20	21	22	22	23	24	25	26	19	20	*21*	22	23	24	25	26	27	28
25	26	27	28	29	29	30	31			26	27	28	29	30	31				
NOVEMBER					DECEMBER					JANUARY 2023					FEBRUARY				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
	1	*2*	3	4				1	2	2	3	4	5	6			1	2	3
7	8	9	10	11	5	6	7	8	9	9	10	11	12	13	6	7	*8*	9	10
14	15	16	17	18	12	13	14	15	*16*	16	17	18	19	20	13	14	15	16	17
21	22	23	24	25	19	20	21	22	23	23	24	*25*	26	27	20	21	22	23	24
28	29	30			26	27	28	29	30	30	31				27	28			
MARCH					APRIL					MAY					JUNE 2023				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
		1	2	3	3	4	5	6	7	1	2	3	4	5				<b>*1*</b>	2
6	7	8	9	10	10	11	12	13	14	8	9	10	11	12	(5)	6	7	8	9
13	14	*15*	16	17	17	18	*19*	20	21	15	16	*17*	18	19	12	13	14	15	16
20	21	22	23	24	24	25	26	27	28	22	23	24	25	26	19	20	21	22	23
27	28	29	30	31						29	30	31			26	27	28	29	30

HOLIDAYS/SCHOOL NOT IN SESSION	
July 4	Independence Day
September 5	Labor Day
November 11	Veterans Day
November 21 - 25	Thanksgiving Recess
December 19 - January 2	Winter Recess
January 16	Martin Luther King Day
February 13 - 20	February Recess
April 7 - 14	Spring Recess
May 29	Memorial Day
July 4	Independence Day

KEY DATES	
Staff Contract Days (Students Not in Attendance)	(( )) Certificated Staff Workday: August 8 ( ) Certificated & Classified Staff Workday: Aug. 9
First & Last Day of School	<input type="checkbox"/> August 10, June 1
Minimum Days	* * Aug. 17      Sept. 21      Oct. 19 Nov. 2      Dec. 16      Jan. 25 Feb. 8      March 15      April 19 May 17      June 1
Extended Year Session	June 5 - teacher work day (ESY) June 6 - July 3



## 2022-2023 SCHOOL CALENDAR

YCOE K-22 Special Education Programs

180 Student Attendance Days - 182 Certificated Instructional Staff Workdays - 181 Classified Instructional Staff Workdays

JULY 2022					AUGUST					SEPTEMBER					OCTOBER				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
				1	1	2	3	4	5				1	2	3	4	*5*	6	7
4	5	6	7	8	((8))	(9)	<b>10</b>	11	12	5	6	*7*	8	9	10	11	12	13	14
11	12	13	14	15	15	16	*17*	18	19	12	13	14	15	16	17	18	*19*	20	21
18	19	20	21	22	22	23	24	25	26	19	20	*21*	22	23	24	25	26	27	28
25	26	27	28	29	29	30	31			26	27	28	29	30	31				
NOVEMBER					DECEMBER					JANUARY 2023					FEBRUARY				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
	1	*2*	3	4				1	2	2	3	4	5	6			*1*	2	3
7	8	9	10	11	5	6	*7*	8	9	9	10	*11*	12	13	6	7	*8*	9	10
14	15	16	17	18	12	13	14	15	*16*	16	17	18	19	20	13	14	15	16	17
21	22	23	24	25	19	20	21	22	23	23	24	*25*	26	27	20	21	22	23	24
28	29	30			26	27	28	29	30	30	31				27	28			
MARCH					APRIL					MAY					JUNE 2023				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
		*1*	2	3	3	4	5	6	7	1	2	*3*	4	5				<b>*1*</b>	2
6	7	8	9	10	10	11	12	13	14	8	9	10	11	12	(5)	6	7	8	9
13	14	*15*	16	17	17	18	*19*	20	21	15	16	*17*	18	19	12	13	14	15	16
20	21	22	23	24	24	25	26	27	28	22	23	24	25	26	19	20	21	22	23
27	28	29	30	31						29	30	31			26	27	28	29	30

HOLIDAYS/SCHOOL NOT IN SESSION	
July 4	Independence Day
September 5	Labor Day
November 11	Veterans Day
November 21 - 25	Thanksgiving Recess
December 19 - January 2	Winter Recess
January 16	Martin Luther King Day
February 13 - 20	February Recess
April 7 - 14	Spring Recess
May 29	Memorial Day
July 4	Independence Day

KEY DATES	
Staff Contract Days (Students Not in Attendance)	(( )) Certificated Staff Workday: August 8 ( ) Certificated & Classified Staff Workday: Aug. 9
First & Last Day of School	<input type="checkbox"/> August 10, June 1
Minimum Days	* * Aug. 17 Sept. 7, 21 Oct. 5, 19 Nov. 2 Dec. 7, 16 Jan. 11, 25 Feb. 1, 8 March 1, 15 April 19 May 3, 17 June 1
Extended Year Session	June 5 - teacher work day (ESY) June 6 - July 3

JULY 2022					AUGUST					SEPTEMBER					OCTOBER				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
				1	1	2	3	4	5				1	*2*	3	4	5	6	*7*
4	5	6	7	8	((8))	(9)	<b>10</b>	11	*12*	5	6	7	8	*9*	10	11	12	13	*14*
11	12	13	14	15	15	16	17	18	*19*	12	13	14	15	*16*	17	18	19	20	*21*
18	19	20	21	22	22	23	24	25	*26*	19	20	21	22	*23*	24	25	26	27	*28*
25	26	27	28	29	29	30	31			26	27	28	29	*30*	31				
NOVEMBER					DECEMBER					JANUARY 2023					FEBRUARY				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
	1	2	3	*4*				1	*2*	2	3	4	5	*6*			1	2	*3*
7	8	9	10	11	5	6	7	8	*9*	9	10	11	12	*13*	6	7	8	9	*10*
14	15	16	17	*18*	12	13	14	15	*16*	16	17	18	19	*20*	13	14	15	16	17
21	22	23	24	25	19	20	21	22	23	23	24	25	26	*27*	20	21	22	23	*24*
28	29	30			26	27	28	29	30	30	31				27	28			
MARCH					APRIL					MAY					JUNE 2023				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
		1	2	*3*	3	4	5	6	7	1	2	3	4	*5*				<b>*1*</b>	(2)
6	7	8	9	*10*	10	11	12	13	14	8	9	10	11	*12*	5	6	7	8	*9*
13	14	15	16	*17*	17	18	19	20	*21*	15	16	17	18	*19*	12	13	14	15	*16*
20	21	22	23	*24*	24	25	26	27	*28*	22	23	24	25	*26*	19	20	21	22	*23*
27	28	29	30	*31*						29	30	31			26	27	28	29	*30*

HOLIDAYS/SCHOOL NOT IN SESSION	
July 4	Independence Day
September 5	Labor Day
November 11	Veterans Day
November 21-25	Thanksgiving Recess
December 19 – January 2	Winter Recess
January 16	Martin Luther King Day
February 13	Lincoln Birthday
February 20	Washingtons Birthday
April 7-14	Spring Recess
May 29	Memorial Day

KEY DATES	
Staff Contract Days (Students Not in Attendance)	(( )) Certificated Staff Workday: August 8 ( ) Certificated & Classified Staff Workday: August 9, 2022 & June 2, 2023
First & Last Day of School	<input type="checkbox"/> August 10, June 1
Minimum Days	* * Aug. 12,19,26 Sept. 2,9,16,23,30 Oct. 7,14,21,28 Nov. 4,18 Dec. 2,9,16 Jan. 6,13,20,27 Feb. 3,10,24 Mar. 3,10,17,24,31 April 21,28 May 5,12,19,26 June 1
Extended Year Session	July 1-August 5, 2022 February 14-17, 2023 June 5-30, 2023



## 2022-2023 SCHOOL CALENDAR

Thomas E. Mathews

180 Student Attendance Days - 182 Certificated Instructional Staff Workdays - 181 Classified Instructional Staff Workdays

JULY 2022					AUGUST 16					SEPTEMBER 21					OCTOBER 21				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
				1	1	2	3	4	5				1	*2*	3	4	5	6	*7*
4	5	6	7	8	((8))	(9)	<b>10</b>	11	*12*	5	6	7	8	*9*	10	11	12	13	*14*
11	12	13	14	15	15	16	17	18	*19*	12	13	14	15	*16*	17	18	19	20	*21*
18	19	20	21	22	22	23	24	25	*26*	19	20	21	22	*23*	24	25	26	27	*28*
25	26	27	28	29	29	30	31			26	27	28	29	*30*	31				
NOVEMBER 16					DECEMBER 12					JANUARY 2023 20					FEBRUARY 14				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
	1	2	3	*4*				1	*2*	2	3	4	5	*6*			1	2	*3*
7	8	9	10	11	5	6	7	8	*9*	9	10	11	12	*13*	6	7	8	9	*10*
14	15	16	17	*18*	12	13	14	15	*16*	16	17	18	19	*20*	13	14	15	16	17
21	22	23	24	25	19	20	21	22	23	23	24	25	26	*27*	20	21	22	23	*24*
28	29	30			26	27	28	29	30	30	31				27	28			
MARCH 23					APRIL 14					MAY 22					JUNE 2023 1				
M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
		1	2	*3*	3	4	5	6	7	1	2	3	4	*5*				<b>*1*</b>	2
6	7	8	9	*10*	10	11	12	13	14	8	9	10	11	*12*	5	6	7	8	9
13	14	15	16	*17*	17	18	19	20	*21*	15	16	17	18	*19*	12	13	14	15	16
20	21	22	23	*24*	24	25	26	27	*28*	22	23	24	25	*26*	19	20	21	22	23
27	28	29	30	*31*						29	30	31			26	27	28	29	30

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April 7-14	Spring Recess
May 29	Memorial Day

KEY DATES	
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First & Last Day of School	<input type="checkbox"/> August 10, June 1
Minimum Days	* * Aug. 12,19,26 Sept. 2,9,16,23,30 Oct. 7,14,21,28 Nov. 4,18 Dec. 2,9,16 Jan. 6,13,20,27 Feb. 3,10,24 Mar. 3,10,17,24,31 April 21,28 May 5,12,19,26 June 1

## **NOTICE OF PUBLIC HEARING**

The Board will hold a Public Hearing on Yuba Environmental Science Charter Academy's (YES) request for material revision in accordance with the YCOE Administrative Regulations and Education Code sections 47605(b) and 47607(a)(3). Education Code Section 47605(b) provides that at the public hearing at which the governing board of the school district will either grant or deny the request for revision. Petitioners shall have equivalent time and procedures to present evidence and testimony to respond to the staff report with written findings of fact.

The petitioner states the requested expansion would serve students in the Yuba County Foothills that currently commute to a high school sometimes thirty or more miles away from home. The material revision is intended to meet the economic and environmental needs of the community by creating three wall-to-wall career technical pathways (Natural Resources, Entrepreneurship, and Design, Visual and Media Arts) that reflect the forest resiliency work led by the North Yuba Forest Partnership.

The public hearing shall be held on Wednesday, August 10, 2022, at 4:30p.m. in the Beckwourth room at the Yuba County One Stop located at 1114 Yuba Street, Marysville, CA.

The petition is available for review at the Yuba County Office of Education. Anyone requesting information concerning this matter should contact Bobbi Abold.

Anyone wishing to make a public comment should fill out a request to speak card and notify the board clerk before the start of the meeting. Public comments are limited to five minutes each, unless otherwise determined by the board president.



## Yuba County Office of Education Staff Report Yuba Environmental Science Charter Academy (YES) Request for Material Revision

On May 12, 2022, the Yuba Environmental Science Academy Charter School (YES Charter) submitted a request for material revision to the Yuba County Office of Education. If approved, the request would expand grade levels served to include 9<sup>th</sup>-12<sup>th</sup>, effectively making this charter school a TK-12 program. The high school would be located at the existing TK-8 campus at 9841 Texas Hill Road in Oregon House, CA while planning for off-site development of a high school campus.

### **BACKGROUND**

YES Charter began serving students on August 18, 2008, under the authorization and oversight of Marysville Joint Unified School District. YES Charter came to the Yuba County Board of Education on appeal when denied renewal in 2014. The charter was approved for a five-year term and was successfully renewed by the Yuba County Board of Education in 2019. The current five-year term is set to expire on June 30, 2024, however, AB 130 recently added a mandatory two-year term to all petitions until June 2025, thus extending the expiration date of this charter to June 30, 2026.

### **PUBLIC HEARING**

In compliance with Education Code 47605(b), the Yuba County Board of Education held a Public Hearing to consider the level of support for the material revision to the petition. Education Code 47605(b) requires that the Yuba County Board of Education render its decision on the material revision request within 90 days of receipt of the requested revision unless both parties agree to an extension. Any findings of fact must be shared with YES Charter at least fifteen (15) days prior to the determination hearing.

### **MATERIAL REVISION**

Education Code section 47607(a)(2) states a material revision to a charter petition is governed by the standards and criteria in section 47605, “and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.”

In reviewing petitions for the establishment of charter schools pursuant to Section 47605, “the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of



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charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The governing board of the school district shall consider the academic needs of the pupils the school proposes to serve.”

## REASONS FOR DENIAL

The authorizing board shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required by subdivision (a) [of section 47605]. **This item does not pertain to a material revision.**
4. The petition does not contain an affirmation of each of the conditions described in subdivision (e) [of section 47605].
5. The petition does not contain reasonably comprehensive descriptions of all of the 15 elements set forth in [section 47605, subdivision (b)(5)].
6. The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code. (Education Code § 47605(b))
7. The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. This finding must include an analysis and consideration of the fiscal impact of the proposed charter school. Pursuant to Education Code §47605(c)(7), the county board of education must also describe the specific facts and circumstances that analyze and consider:
  - The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.
  - Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the



pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

8. To deny a petition based on fiscal impact under 47605 (c)(8), the school district must demonstrate it is not positioned to absorb the fiscal impact of the proposed charter school.

## FINDINGS OF FACT: YES CHARTER REQUEST FOR MATERIAL REVISION

### AT A GLANCE

Meets Requirements	Mostly Meets Requirements	Does Not Meet Requirements	
<b>GUIDING QUESTION BASED ON REASONS FOR DENIAL</b>			
#1	<i>Does this charter present a sound educational program?</i>		
#2	<i>Are the petitioners demonstrably likely to successfully implement the program set forth in the petition?</i>		
#3	<i>Does the petition contain the number of signatures required?</i>		
#4	<i>Does the petition contain an affirmation of each of the conditions described in subdivision (e) [of section 47605]?</i>		
#5	<i>Does the petition contain reasonably comprehensive descriptions of all of the 15 elements set forth in section 47605, subdivision (c)(5)?</i>		
ELEMENTS	TOPIC	MEETS STANDARDS	SUMMARY OF DEFICIENCY
A	Element 1 Educational Program		Does not address student group needs, transferability of courses and graduation requirements, professional development and goals, actions, and priorities
B	Element 2 Measurable Student Outcomes		Lacks measurable outcomes, including significant student groups
C	Element 3 Student Progress Measurement		





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D	Element 4	Governance		Lacks internal control policies
E	Element 5	Employee Qualifications		Lacks position descriptions; lacks credentialed staff
F	Element 6	Health and Safety		
G	Element 7	Racial/ Ethnic Balance		
H	Element 8	Admissions		Enrollment/admission requirements are not allowed; does not provide for equal opportunity recruitment/admission; admissions preference discrepancy
I	Element 9	Independent Audits		
J	Element 10	Suspension/Expulsion		Lacks process for rebuttal to charges, lacks due process
K	Element 11	STRS		
L	Element 12	Attendance Alternatives		
M	Element 13	Post-Employment Rights		
N	Element 14	Dispute Resolution		Lacks Uniform Complaint Procedure and communication of process to parents/students
O	Element 15	Closure Procedures		Lacks description for the transfer and maintenance of personnel records. Otherwise, very thorough
<b>REQUIRED SUPPLEMENTAL INFORMATION</b>			<b>MEETS STANDARDS</b>	<b>SUMMARY OF DEFICIENCY</b>
1. Financial/ Administrative Plan				Ambitious projected growth and ADA; potential for excessive



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		deficits by 2024-2025; could lead to negative cash balance; staff expenditures not fully accounted for based on credential requirements, new facilities development not accounted for in future years, curriculum and materials are not fully accounted for as described in the petition
2. Facilities		
3. Impact Statement		Lacks description of civil liability effect on school and authorizer (only references Appendix)
4. Special Education		Does not address student transfers, SELPA notification, lacks operating budget, fair share of encroachment and responsibility for any legal fees
#6	<i>Does the petition contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school?</i>	
#7	<i>Will the charter schools serve the interests of the entire community in which the school is proposing to locate?</i>	
#8	<i>Is the district positioned to absorb the fiscal impact of the proposed charter school?</i>	

## **DETAILED STAFF REPORT**

### **#1 Does the petitioner present a sound educational program?**

The education plan proposes a highly engaging student-centered model of instruction that will prepare students for post-secondary education and/or the workforce by focusing on collaboration with community partners to insert students into “high-wage high need jobs in Yuba County... to embed relevant connections... and build a strong workforce.”



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Despite the engaging program description, the YCOE review team believed the petitioner may lack a clear understanding of 9-12 instructional programs as detailed in the findings for Elements 1 (A) and 2 (B) and the additional requirements for Special Education.

To address these concerns, the Yuba County Office of Education held a capacity interview with YES Charter staff (“the petitioner”) on July 8, 2022. This interview allowed the YCOE review team to clarify some specific 9-12 programmatic concerns, including the petitioners’ understanding of 9-12 instructional programs and operational requirements.

In this interview, the petitioner was able to clearly articulate a plan for college/career readiness using an integrated core content/CTE Pathway approach to learning, work-based learning plans, community service, participation in statewide competitions, and preparing to graduate students with three highly recognized industry certifications and e-portfolios designed to market students skills after high school.

The petitioner shared that they intend to roll out the high school program using existing staff. Recent hiring decisions have been made in anticipation of expanding the program to include 9<sup>th</sup>-12<sup>th</sup> grade students. The petitioner indicated the special education teacher is credentialed through grade 12 and would support intervention needs and student assessments. As of July 8, 2022, the majority of proposed courses still lack an appropriately credentialed teacher.

The petitioner intends to use an online curriculum to support core content instruction. A credentialed math teacher employed by the curriculum company would oversee instruction while a YES Charter paraprofessional would oversee students in the classroom. The YCOE review team noted that this staff person must also be appropriately credentialed. A paraprofessional cannot assume this role. The proposed physical education teacher needs an emergency credential to begin the 22-23 school year and is currently working with the Yuba County Office of Education (YCOE) for the credential. YES Charter is working with the Ventura County Office of Education on review and recommendation for Career Technical Education (CTE) credentials. The petitioner noted that the county offices are currently backlogged. YES Charter is working closely with the teachers and their sponsoring organizations.

When questioned about setting a low bar for attendance and achievement in the petition, the petitioner responded, “If we engage them, they will attend.” They also shared that learning loss resulting from COVID-19 pushed them to err on the side of caution in establishing expected outcomes. They also indicated the statewide graduation rate for students participating in CTE is 93%. Finally, the petitioner shared that parents and the community have a strong desire to have a local program that prepares students for both college and career opportunities.

When questioned about staff development for 9-12, the petitioner indicated that each Friday is scheduled for early release. All professional development will occur at that time and will include external provider training for online curriculum rollout etc.



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YES Charter already has the first week of school planned as a ‘week without walls.’ This will allow students to fully engage in real-world learning concepts while YES Charter puts final operational considerations such as contracts for curriculum and facilities in place.

While the written proposal for grades 9-12 expansion **DOES NOT currently present a sound educational program**, based on the capacity interview, **the YCOE review team feels confident YES Charter CAN successfully administer a 9-12 educational program** with additional time for planning and preparation.

## ***#2 Are the petitioners demonstrably likely to successfully implement the program set forth in the petition?***

At the same July 8, 2022 capacity interview with YES Charter staff, YCOE asked several fiscal questions regarding the basis for the enrollment and ADA projections, the petitioners’ confidence level in meeting the first year enrollment targets, the status of the future school site and staff to student ratios.

The petitioners are 100% confident they will meet the enrollment projects because there is a high need for the school program in the foothill community to reduce the number of hours students are bussing to other areas. The petitioner indicated they had 15<sup>th</sup> 9<sup>th</sup> grade and 4-10<sup>th</sup> grade students on their interest list. YCOE staff was only able to confirm 12- 9<sup>th</sup> grade and 3- 10<sup>th</sup>-grade students on an interest list previously shared. YES currently has two busses and drivers and feels confident they will be able to continue to meet student transportation needs.

The petitioners shared that the budget provided for review did not assume the higher base amount for LCFF and higher COLA that was recently approved in the final state budget. It also did not contain one-time flexible block grants that were approved which YES Charter believes is more than enough to cover any budgetary costs in question.

In addition to the existing 10,000-square-foot building, YES Charter added five (5) modular buildings early last year and added two (2) more to be delivered on July 18th and 19th to accommodate high school students. Modular classrooms would continue to be used and added to the five (5) adjacent acres of land owned by YES Charter if enrollment is lower than anticipated. If demand is strong, the new facility would be constructed at a separate site within the first five (5) years of operation. YES Charter is currently working with a developer. To date, they have selected a site, are conducting required studies, and are working with an architect on a preliminary design. The petitioner intends to fund the facility expansion with grants, SB740, increased revenue and will draw on their reserve, as needed.



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When questioned about variations in the teacher-student ratio (25:1 or 15:1) identified in the petition, the petitioners clarified they currently operate with a ratio of 20:1 and anticipate operating with a 15:1 ratio in grades 9-12 during the first years of operation.

As indicated in the previous section, many of the instructional staff have yet to obtain the appropriate credentials for proposed courses, including those needed for CTE Pathways, elective courses and paraprofessional support. If any staff member were not able to clear their credential the school would need to hire additional staff not accounted for in the budget.

This request for material revision was submitted very late in the 21-22 school year, which pushed the board determination deadline to August 10<sup>th</sup> just days before the new high school program would potentially open. While the capacity interview allowed the YCOE review team to hear directly from the petitioner and clarify concerns on findings impacting long-term success, **YES Charter is NOT demonstrably likely to successfully implement the program set forth in the petition in 22-23.** It is highly likely YES Charter will not be able to clear credentials for all necessary staff for all required and elective courses and successfully market the high school program, including recruiting enough students to generate the revenue needed for long-term fiscal solvency prior to the first day of school in 2022-2023.

#3 Signature collection is not applicable to a material revision.

**#4 Does the petition contain an affirmation of each of the conditions described in subdivision (e) [of section 47605]?** Yes. All required affirmations are contained within the petition. However, the language in the affirmation, “*preference in the public random drawing is given as required by Education Code Section 47605(e)(2)(B)(i)-(iv)*” contradicts language in the admissions section of the charter where an additional preference (page 110) is mentioned.

*“If the number of pupils who wish to attend the high school grades exceeds the Charter School’s capacity, consideration is given to students who are on track with prerequisite a-g graduation following the minimum credit structure (Minimum Credits a-g: Junior 100 and Senior 160).”*

This preference is included in the *Non-Discrimination* section and is not incorporated into the preferences outlined in the section *Public Random Student Enrollment*. This discrepancy is pointed out in the legal review (margin notes) as inconsistent with previously identified lottery preferences.

Education Code 47605(e)(2)(B) states, “If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils



currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5.”

See additional details in Element 8 (H), Admissions.

**#5 Does the petition contain reasonably comprehensive descriptions of all of the 15 elements set forth in section 47605, subdivision (c)(5)?** The petition contains many of the required elements, however, required legal and/or comprehensive descriptions are missing, as described below.

**A. Element 1 is missing the following required descriptions:**

- This section lists demographic information but does not speak to the needs and challenges of student groups to be served TK-8 or 9-12.
- The petition does not contain a sound plan for addressing the needs of English language learners TK-8 or 9-12. SADIE is outdated as a stand-alone strategy. There is no mention of integrated/designated ELD.
- Notification of transferability to other high schools is addressed in the petition, transferability of courses to post-secondary education institutions is not addressed.
- Specific annual actions designed to achieve the stated goals are more fully described for the elementary program (e.g., ELA 9th-12th grades only include language such as continue to scaffold writing with Step Up to Writing and integrate ELA CCSS Standards in a CTE Entrepreneurship & Small Business Ownership Pathway).

Additional concerns include:

- Professional development is only described for special education staff. With the proposed expansion from TK-8 to TK-12, there should be a multi-year professional development plan for all student services and operations staff serving grades 9-12.
- Graduation requirements are not defined in the petition. This is an important component of grade level expansion to serve students 9-12.
- In 2021-2022, the TK-8 program served approximately 130 students. The TK-8 enrollment projection for 2024-2025 is 190 students. The 9-12 expansion enrollment projection estimates twenty-five (25) 9<sup>th</sup> and 10<sup>th</sup>-grade students in 2022-2023 with an increase to seventy-one (71) 9<sup>th</sup>-12<sup>th</sup> grade students by 2024-2025.



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- Page 21 contains a table of current and projected enrollment. In 21-22, YES enrolled 134 TK-8 students. YES proposes to add twenty-five (25) to thirty (30) 9<sup>th</sup> and 10<sup>th</sup> grade students in 22-23 and have an enrollment of 261 students by 24-25. This nearly doubles current enrollment (48%) in just three years. Growth projections are ambitious and will skew the budget.
- The petition lacks additional school priorities and relevant goals and actions related to unique aspects of the proposed charter school program (e.g., CTE, internships).
  - Page 18 states, “YES Charter Academy intends to achieve a student population generally reflective of the Yuba County Office of Education jurisdiction.” Education Code 47605 reads, “...the charter school will achieve a balance of racial and ethnic pupils... as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.”
  - The Yuba Environmental Science Charter Academy petition was submitted to Marysville Joint Unified School District. It was approved by the Yuba County Board of Education on appeal. Demographic data should reflect Marysville Joint Unified School District, not Yuba County.
  - As indicated in the attorney’s margin notes, some pages indicate a three-year rollout of the 9-12 program and other pages indicate a five-year rollout. Also, as pointed out in margin notes, the petition includes multiple references to YES High School. YES High School would not exist as a result of approving the material revision. There will not be a separate CDS Code.

## **B. Element 2 Measurable Pupil Outcomes is missing the following required descriptions:**

- The petition does not contain measurable pupil outcomes for all groups TK-8 or the proposed expansion for 9-12. Significant student groups for the purpose of this petition include socioeconomically disadvantaged, Hispanic and White students.
  - Education Code 47605(c)(5)(B) states, “Pupil outcomes... means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil





subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052.”

Additional concerns include:

- The petition sets a very low bar for attendance (93%) and achievement (1% gain) annually, which is not likely to lead to college/career readiness or a successful renewal in 2026.

In general, it is not clear what the school intends to accomplish in serving high school students or how they will assess and measure their progress along the way.

**D. Element 4 Governance Structure is missing the following required description:**

- A requirement to describe, implement and monitor specific policies and internal controls that will prevent fraud, embezzlement and conflict of interest.

**E. Element 5 Employee Qualifications contains language that is not allowed:**

- There is no description of positions for core and college preparatory teachers or any aspect of this element that supports the school’s capacity to successfully implement a high school program.

Additional concern includes:

- YES proposes to offer 9<sup>th</sup> and 10<sup>th</sup>-grade courses in 22-23. As of June 2022, YES has appropriately credentialed staff for 3/10 (30%) of the proposed 9<sup>th</sup>-grade courses and 33% of the proposed 10<sup>th</sup>-grade courses.

**H. Element 8 Admissions Requirements is missing the following requirements:**

- With the exception of the section on homeless and foster youth, the petition does not address how the public will be informed of and given an equal opportunity to attend the charter school. It does not address promotional material requirements (to include a statement that the charter school will serve ALL students). Appendix 7 is an Outreach Plan that is not referenced within the petition itself. It is a simple list of outreach activities.
- Charter schools are public schools and as such are not allowed to impose ‘admission requirement(s)’. Page 109 of the petition states the following:

**Enrollment Contract; Admission Requirement**

*All 7th-12th grade students enrolling demonstrate the following, as outlined in Element 1:*





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- *The interest and motivation to be educated in the scientific method of inquiry, observation, deduction, and use of critical thinking strategies.*
- *The ability and capability to work independently and as a team.*
- *The propensity to be a self-impelled leader.*
- The petition is missing an assurance that preferences if given, are not likely to negatively impact the balance the charter strives to achieve.
- The following preference is included in the *Non-Discrimination* section and is not incorporated into the preferences outlined in the section *Public Random Student Enrollment*.

*“If the number of pupils who wish to attend the high school grades exceeds the Charter School’s capacity, consideration is given to students who are on track with prerequisite a-g graduation following the minimum credit structure (Minimum Credits a-g: Junior 100 and Senior 160).”*

This discrepancy is pointed out in the legal review (margin notes) as inconsistent with previously identified lottery preferences. Education Code 47605(e)(2)(B) states, “If the number of pupils who wish to attend the charter school exceeds the charter school’s capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5.”

## **J. Element 10 Suspension and Expulsion Procedures is missing the following legal requirements:**

- The petition does not describe how an opportunity will be provided for [a] pupil to present his/her rebuttal to charges.
- The petition does not describe a separate process for suspension of more than 10 days and all other expulsions for disciplinary reasons. Education Code 47605(c)(5)(J) requires charter schools detailed information on this topic, including timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights and a process of hearing adjudicated by a neutral officer within thin a reasonable number of days, and at which the pupil has the right to bring legal counsel or an advocate.
- The petition does not demonstrate an understanding of relevant laws protecting student rights.



**K. Element 14 Dispute Resolution Procedures** is missing the legal requirement to include Uniform Complaint procedures and a description of how this process is communicated to parents, staff and the community only language regarding staff disputes.

**L. Element 15 Closure Procedures** is missing a legal requirement to describe the transfer and maintenance of personnel records in accordance with applicable law. Other than this requirement, the closure procedure is described in thorough detail.

### ***Required Supplemental Information***

#### **1. Financial/Administrative Plan**

- **Average Daily Attendance (ADA):** Student growth projections do not appear reasonable. As of 6/22/2022, a list of twelve (12) students showed interest in 9th grade and three (3) students in 10th grade. The charter provides estimates of fifteen (15) students in grade 9 and ten (10) students in grade 10, with growth in grade 9 each year and 100% retention of students each year through grade 12.
  - This does not reflect the trend of YES Charter lower grade levels nor does it with high school enrollment statewide.
    - More reasonable growth projections based on the student list of twelve (12) students in 9<sup>th</sup> grade and three (3) students in 10<sup>th</sup> grade, applied to past retention and growth rates would not yield enough revenue to cover the additional staff needed for the program, and significant budget deficits would occur.
    - Based on the school's past trends and level of student interest, student enrollment is 23% over projected for 22-23, 30% over projected in 23-24 and 39% over projected in year 3.
  - Adding the updated LCFF COLA and proposed one-time funding from the state, based on lower enrollment, deficits would range from \$147,590 in 22-23 to \$751,237 in 24-25.
    - This would wipe out the fund balance by 2024-25 and may also cause cash to be negative.
- **Staff Expenditures:** The expenditure budget does not
  - align with the number of teachers required for a program with varying single, multiple and CTE credential requirements.
  - \$26,640 per year was allocated for two (2) portables, plus \$23,980 for installation costs totaling \$50,620. An allowance of \$50,000 was included for the delivery of



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portables in object 5800. Rent expense budgeted in 5600 shows an increase of \$26,400. However, the budget does not address 23-24 and beyond in alignment with growth projections.

- **Curriculum- Materials:** The educational resources identified in the charter appear to be a higher cost than provided for in the budget.

**3. Impact Statement requirements are not complete.** Civil liability effects, if any, upon the school and authorizer are not addressed within the 15 Elements. The Appendix is referenced; however, the Appendix is not part of the legally binding charter contract.

**4. Special Education requirements are not complete.**

- The petition does not address the transition to and from a district when a student with an IEP enrolls in or transfers out of the charter. The requirement for an independent LEA to notify the SELPA of participation by Feb 1 of the preceding year is not included.
- The current operating budget is not included.
- Fair share of encroachment is not included.
- The petition does not assert responsibility for any legal fees relating to the application and assurances process.

**#6 Does the petition contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school?** The petition contains the appropriate declaration.

**#7 Is the charter school demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate?** The charter school has been in good standing with the Yuba County Board of Education for several years. The proposed charter school does not substantially undermine existing services, academic offerings, or programmatic offerings or duplicate a program currently offered within the school district.

**#8 Is the district positioned to absorb the fiscal impact of the proposed charter school?** Marysville Joint Unified School District has not contested the material revision in a public hearing or demonstrated it is unable to absorb the fiscal impact of the proposed grade level expansion.

## **Conclusion**

Some findings (e.g., Governance and Dispute Resolution) require simple language adjustments to the charter petition, while others are more complex and would directly impact outcomes for



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students (9-12 staff professional development, credentialing, special education services and due process). Some could significantly impact the financial stability of the existing TK-8 program (e.g., 9-12 enrollment and ADA) in years to come.

While there is strong evidence and significant community support for a high school program such as the one proposed, the decision to approve or deny the request for grade level expansion should be weighed carefully. Therefore, the following paragraphs contain language to support the Yuba County Board of Education should they choose to approve **or** deny the Yuba Environmental Science Charter Academy's request for grade level expansion.

Should the Yuba County Board of Education **approve** the request for material revision, it is recommended approval be granted with the following conditions:

- Delay opening with students to 2023-2024 to allow for necessary planning and recruitment in 2022-2023.
- Correct all findings in Elements 1-15 by October 30, 2022, and resubmit the red lined revisions to the the YCOE Assistant Superintendent for review. Receive Board approval on revisions at the regularly scheduled meeting in December 2022.
  - Pay particular attention to identified outcomes and the new legal requirement for renewal. Charters must match or exceed the State in ELA and math on the CA Dashboard (overall and each significant student group).
- YES Charter will provide the YCOE Assistant Superintendent with a three-year professional development plan for all staff overseeing, supporting and/or teaching students in grades 9-12. This plan will be inclusive of operations staff beginning in 2022-2023 and must be submitted to YCOE by October 30, 2022.
- YES Charter will ensure each proposed course has appropriately credentialed and assigned staff and provide evidence of such to the YCOE Assistant Superintendent by June 30, 2023 for review and approval.
- YES Charter will obtain a written agreement from YCOE's Chief Business Officer prior to flying any new 9-12 position from the date of approval of the material revision through June 30, 2024, to ensure budget/fiscal transparency.
- YES Charter will provide the YCOE Assistant Superintendent with verifiable TK-12 intent to enroll information (parent name, student name, grade level, contact information) by May 1, 2023.



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- YES Charter will enroll a minimum of 23 students in grades 9 and 10 or a have a total TK-12 enrollment of 174 in their student information system, as budgeted, by July 30, 2023.

Not fulfilling any condition or missing any deadline, as described above will result in automatic denial of the Yuba Environmental Science Charter Academy request for grade level expansion to include grades 9-12.

**-or-**

Should the Yuba County Board of Education **deny** the Yuba Environmental Science Academy Charter request for material revision, the following would apply:

The Yuba County Office of Education reviewed the request for material revision utilizing the criteria for approval set forth in Education Code Section 47605. Based upon its comprehensive review and analysis of the request for material revision, the Yuba County Board of Education finds the petitioner presents an unsound educational program and is demonstrably unlikely to successfully implement the program as proposed. There are several bases for denial, including but not limited to ambitious enrollment and ADA projections with comparably low 2022-2023 9<sup>th</sup> and 10<sup>th</sup>-grade interest, a lack of appropriately credentialed staff, a charter petition that is not clear and comprehensive in many of its descriptions and missing legal requirements, as described within this staff report.