



FUSD

FONTANA UNIFIED
SCHOOL DISTRICT

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MEMORANDUM

TO: Miki R. Inbody, Superintendent

FROM: Christopher Hollister, Ed.D.
Associate Superintendent, Teaching and Learning Division

DATE: October 20, 2026

RE: STAFF ANALYSIS AND PROPOSED FINDINGS OF FACT REGARDING FONTANA COLLEGIATE ACADEMY CHARTER PETITION

INTRODUCTION

On August 20, 2026, the Fontana Collegiate Academy (“FCA”) submitted a petition to Fontana USD to establish a new independent charter high school serving grades 9–12, operated by a California nonprofit public benefit corporation, for a five-year term of July 1, 2027, through June 30, 2032. FCA proposes a year-round, quarter-based “early college” model built around dual-enrollment coursework taught by partner-college faculty, opening with 150 students and growing to 350 by Year 5.

As a petition to establish a new charter school, it is governed by Education Code section 47605(c), under which the Board “shall not deny a petition ...unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more” of the enumerated grounds.

For reasons discussed in more details below, District Staff recommends the Board adopt these written findings **denying** the petition on the following grounds:

1. Unsound educational program (Ed. Code 47605(c)(1))
2. Petitioners are demonstrably unlikely to successfully implement the program (Ed. Code 47605(c)(2); 5 Cal. Code Regs. 11967.5.1(c)(3))
3. The proposed school is unlikely to serve the interests of the entire community (Ed. Code 47605(c)(7))

PROCEDURAL STATUS

Fontana Unified School District (“FUSD” or the “District”) received the Fontana Collegiate Academy Charter Petition (“Petition”) on August 20, 2026. Pursuant to the Charter School Act of 1992 (“CSA”), the District Governing Board has held a public hearing on the provisions of the Petition on October 7, 2026, within 60 days of receipt of the Petition. The District Board is to

approve or deny the renewal request within 90 days of receipt, which time can be extended for an additional 30 days upon mutual agreement of the parties.

FCA is seeking approval to establish a charter school serving students in grades 9-12, pursuant to education code 47605. If approved, the District Board would grant the Charter for a term of 5 years from July 1, 2027, through June 30, 2032. The Board will render the final determination on the Petition at the Board meeting on November 4, 2026, following a full review of the Petition and accompanying documentation.

CRITERIA FOR REVIEW OF A CHARTER PETITION

Pursuant to Education Code section 47605, a petition for the establishment of a charter school pursuant to Education Code Section 47605 shall be considered by the chartering authority's governing board in accordance with the following standards:

In reviewing petitions for the establishment of charter schools pursuant to this section, FUSD 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 charter schools should be encouraged. The District Governing Board shall grant a charter for the operation of a school 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 District Governing Board shall consider the academic needs of the pupils the school proposes to serve. The District Governing 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 Education Code Section 47605, subdivision (a).
- (4) The petition does not contain an affirmation of each of the conditions described in Education Code Section 47605, subdivision (e).
- (5) The petition does not contain reasonably comprehensive descriptions of all of the following:
 - (A) (i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best

occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.

(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, 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. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(E) The qualifications to be met by individuals to be employed by the charter school.

(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, and the annual review and update of the plan, pursuant to Section 47606.3.

(G) The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient 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. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.

(H) Admission policies and procedures, consistent with Education Code Section 47605 subdivision (e).

(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that are consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian, or, if the pupil is a homeless child or youth, or a foster child or youth, in the native language of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the pupil is an Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker. The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker or, if applicable, county social worker initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(iv) A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information.

(K) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

(M) The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.

(N) The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.

(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the following factors:

(A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.

(B) Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

(8) The school district is not positioned to absorb the fiscal impact of the proposed charter school. A school district satisfies this paragraph if it has a qualified interim certification pursuant to Section 42131 and the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim

certification pursuant to Section 42131, has a negative interim certification pursuant to Section 42131, or is under state receivership. Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.

ANALYSIS OF THE CHARTER PETITION

FUSD Staff reviewed the Petition using the criteria established in California Education Code Section 47605, and the District's Board Policy and Administrative Regulations 0420.4. District staff's analysis is limited to the issues identified in the Petition. The omission of any provision, statement, or representation in the Petition from this analysis does not constitute approval, endorsement, or a finding of compliance with applicable law, and the District expressly reserves all rights with respect to any such matters.

(1) Sound Education Program

Pursuant to Education Code section 47605(b)(1), a charter petition may be denied if the charter school presents an unsound educational program for the pupils to be enrolled in the charter school. Based on its review, District staff finds that FCA has not presented a sound educational program for the pupils to be enrolled at FCA.

According to the Petition, the core academic delivery will depend on a single, unestablished partner. The model rests on one executed dual-enrollment agreement with "Pathways College" while the agreement with an established public community college (Chaffey College) is only being "pursu[ed] ...upon petition approval." The petition does not establish the accreditation, transferability, capacity, or course array of Pathways College.

The Petition is lacking any description of the classes that it will offer students apart from the college program. It does not explain what it will teach, how it will be taught, the methodology supporting the instructional policy, the research supporting its curriculum decisions, or any other information that could provide the Board with a basis to assess whether the educational program is sound.

FCA's stated design has students complete "at least 3 college credits per quarter," and "all dual enrollment courses are taught by qualified college faculty." The Petition is explicit that, for these courses, "college faculty are responsible for curriculum design, instructional delivery, assessment, grading, and the awarding of college credit," while "FCA staff do not serve as instructors of record, do not deliver new college-level academic content, and do not assess or grade student work," and "all instructional authority for dual enrollment courses remains with the postsecondary institution." A model in which a defining share of the students' academic program is designed, taught, assessed, and credited by an outside entity with FCA's own staff limited to "supervision, mentoring, and academic support," places the soundness of the program largely

outside the Petitioner's (and the authorizer's) control, and is in tension with the constitutional expectation that a public school's instruction remain "under the exclusive control of the officers of the public schools."

At submission, the only dual-enrollment partner is "Pathways College." (Fontana Collegiate Academy Charter Petition at 51) The Petition describes its partners generically as "regionally accredited" but nowhere in the Petition does it establish Pathways College's accreditation, course catalog, or capacity, and it concedes that transferability "will be determined by the policies of the issuing institution and the receiving college or university." The agreement with Chaffey Community College is only to be "pursued ...upon petition approval." The Petition's suggestion that some students "may ...even earn a bachelor's degree while concurrently enrolled in high school" is expressly speculative and "not guaranteed." The program's central promise transferable college credit thus rests largely on outside sources, one of which has not been demonstrated to be properly accredited, and the other of which has not even been pursued to seek an arrangement. The fact that almost the entirety of FCA's educational program hinges on such outside sources' curriculum design, teaching methodology, instruction and co-or extra-curriculum activities makes the educational program unsound.

According to the Petition, dual-enrollment eligibility is gated on "multiple measures of college readiness," including college placement assessments, transcript review, benchmark ELA/math data, and staff recommendations. Yet FCA targets a population unlikely, on the Petition's own data, to enter college-ready: approximately 80% socioeconomically disadvantaged, 25–30% English learners, and 10–15% students with disabilities, expressly emphasizing "at-risk" students experiencing chronic absenteeism, housing insecurity, trauma, justice-system involvement, and credit-recovery needs. The Petition's own community-need data show these groups entering far below standard (district English learners –95.6 and students with disabilities –141.2 points from standard in math; A-G completion of 41.7% for English learners and 29.2% for students with disabilities). For the substantial share of entrants who are "not yet college-ready," the program reduces to FCA's own high-school instruction, which is not clearly defined, plus a generic Multi-Tiered System of Supports (concurrent remediation, scaffolding, small-group tutoring). The Petition's description of that stand-alone, standards-aligned high-school program is thin, because its main model leans on the college partner to supply rigor. Staff believes that as a result, the program whose signature benefit of college readiness will be deferred or unavailable for most of the FUSD students it is designed to attract.

FCA's charter states that it premises its educational model on the proposition that its students need "consistent **daily** structure, direct adult support, and clearly defined expectations." The delivery model, however, builds in a **weekly** distance-learning day (Bell Schedule – Friday (Distance Learning via Web conferencing tool)) and a year-round track in which each student is off one full quarter features in tension with the daily-structure rationale and with an at-risk population that struggles with attendance and continuity. Staff also notes the model's reliance

on college-faculty instruction delivered “in person or through synchronous virtual instruction,” with “recorded lectures” and coursework through the college’s learning-management system during scheduled periods, which all seem to contradict the premise of direct support and daily structures.

The Petition describes a curriculum-design methodology at a high level. It states, “designs curriculum and units using principles of backward design (Understanding by Design),” aligned to the Common Core State Standards, Next Generation Science Standards, 2012 ELD Standards, and UC/CSU A-G requirements, and it cites external research supporting the early-college/dual-enrollment model, dual-enrollment equity, and expanded learning time. It does not, however, identify the actual curricula or instructional materials FCA will use, or describe any methodology for selecting, vetting, and adopting them: the petition refers only generically to “adopted curriculum,” “standards-aligned materials,” and “teacher-guided ... standards-aligned materials,” without naming programs or publishers, citing independent-reviewer ratings, or describing a materials-adoption process. The research the Petition marshals is directed at the delivery model, not the efficacy of the school’s own curriculum for the English learner, special-education, and at-risk students it targets; and for the dual-enrollment core, the operative curriculum is the college partner’s, designed and owned by that institution rather than FCA. For a school whose stated value proposition is academic rigor, the absence of an identified, research-supported curriculum and of a materials-selection/adoption methodology leaves the soundness of the day-to-day instructional program insufficiently established.

Based on the foregoing, staff finds the Petition presents an unsound educational program under section 47605(c)(1).

(2) FCA is Demonstrably Unlikely to Successfully Implement the Program

Under the CSA, the Board may deny where petitioners are demonstrably unlikely to successfully implement the program, including because the petition presents an unrealistic financial and operational plan under 5 CCR 11967.5.1(c)(3).

First, the budget narrative states that FCA has secured external financing through a revolving line of credit. The lender’s letter, however, is only a conditional indication of interest: East West Bank “anticipate[s] being able to offer a line of credit from \$1-2MM, which will be assessed based on financial forecasting,” and “any credit decision is subject to final approval by our credit committee.” This appears to indicate that no loan has been secured, and that East West Bank has not even offered a line of credit. The “secured” characterization is therefore unsupported, and the school’s cash-flow plan is entirely based on this uncommitted financing.

Furthermore, staff finds that the budget runs on borrowed cash with minimal reserves for most of the term. FCA “expects cash flow to be a problem during the planning year and each year thereafter due to the growing enrollment,” relying on credit draws through Year 4. The projected

ending cash balance for 2027-28 through 2031-32 is “projected to be minimal,” reaching a 12.5% reserve only “by the 4th year of operations” and roughly 21.7% by the end of Year 5. A budget that leaves the school with minimal reserves through its first three years, sustained by uncommitted debt, does not “over a period of no less than two years of operations provide for the amassing of a reserve equivalent to that required by law for a school district of similar size” as required by California Code of Regulations, section 11967.5.1.

Additionally, staff found that revenue depends on an aggressive, unproven enrollment ramp where the plan assumes growth from 150 to 350 students, and expressly ties revenue to a “phased growth model.” Because revenue is enrollment- and attendance-driven, any shortfall directly undermines a budget already running on borrowed cash, especially given the overly optimistic enrollment and growth projection.

The enrollment assumptions underlying that revenue model are also in conflict with the Petitioner’s own description of the school. At the October 7, 2026 public hearing, the lead petitioner stated that he intends FCA to operate as a “micro-school” which is a label generally understood to describe a school operating at an intentionally small, limited scale. That characterization does not reconcile with a Petition that projects opening with 150 students and growing to 350. If FCA genuinely intends to operate at “micro-school” scale, then the 150-to-350 enrollment projections are overstated, and the budget built upon them is correspondingly unreliable. If the 150-to-350 projections reflect FCA’s actual operating plan, then the “micro-school” representation made to the Board and the public materially understates the school’s intended size and fiscal footprint. Either way, the discrepancy undermines confidence that FCA has presented realistic, internally consistent enrollment assumptions.

Further, special education delivery and funding are unsecured and poses a serious risk to FCA’s proposed budget. FCA will operate as its own LEA for special education but concedes that SELPA membership “is not guaranteed” and proposes to join the Los Angeles County Charter SELPA even though the school would operate in San Bernardino County. The budget acknowledges that the costs of the special education program are expected to exceed the revenue provided through state and federal special education revenue, i.e., special education will encroach on the general budget. FCA also anticipates contracting with nonpublic agencies/schools “if [it] is unable to provide the services through its own employees.” For a school projecting 10–15% students with disabilities, an unsecured SELPA placement and an admitted funding gap compound the fiscal risk.

Separately, FCA has committed to a recurring dual-enrollment cost that does not appear in its budget. FCA’s executed ASU Universal Learner Course Agreement adopts the “Consolidated” pricing option, under which FCA will be billed at a rate of \$250 per enrollment for each learner who remains enrolled past the applicable drop window, invoiced quarterly over the July 1, 2027 through June 30, 2032 term. The Petition confirms that this cost falls on FCA rather than families, promising that “every FCA student has the opportunity to earn a minimum of three (3)

college credits during each quarter of enrollment, at no cost to families.” On FCA’s own model that commitment translates to a minimum of three \$250 ASU enrollments per student each year, or roughly \$750 per student, before the additional college coursework the Petition anticipates in grades 11 and 12. Applied to FCA’s projected enrollment, the ASU course cost alone would approach approximately \$112,500 in Year 1 (150 students) and approximately \$262,500 at the projected capacity of 350 students, and more if students complete more than one college course per quarter. FCA also holds a second executed dual-enrollment arrangement with Pathways College which separately bills FCA on a cohort basis (for example, \$1,875 to \$5,000 per 25-student cohort, plus \$206 for each additional student), representing further college-course costs borne by the school.

None of these costs appears as an identifiable line item in the budget. The Summary of Projected Expenses contains no dual-enrollment, college-tuition, or college-course-fee category. Its Books and Supplies detail is confined to textbooks and core curricula, books and other materials, school supplies, software, office expense, business meals, non-capitalized equipment, and food services, and its narrative describes only a “per pupil allotment for instructional supplies, online curricula, project materials and some assessments.” The Subagreement Services detail is limited to nursing, special education, substitutes, transportation, and “Other Educational Consultants,” and the Professional Services detail information technology, audit, legal, professional development, general consulting, and field trips. No budget note discloses or quantifies the per-enrollment amount FCA is contractually obligated to pay ASU, and the Year 1 “Textbooks and Core Curricula” allotment of \$45,000 is itself below the school’s minimum projected first-year ASU exposure. Under 5 CCR section 11967.5.1(c)(3)(B), a financial plan is unrealistic where the charter or supporting documents fail to “[i]nclude in the operational budget reasonable estimates of all anticipated revenues and expenditures necessary to operate the school” or to “[i]nclude budget notes that clearly describe assumptions.” By omitting a known, recurring operating cost tied to the program the Petition itself calls “the heart of the FCA experience,” FCA’s budget both understates the school’s expenditures and further erodes the already minimal reserves described above, reinforcing that the Petition presents an unrealistic financial plan.

In addition to fiscal concerns, Staff also found issues with FCA’s proposed operation. First, staff finds that governance has not been fully addressed as it rests with a five-member founding board, and the Petition only includes a single identified founder/lead petitioner. The staffing model compounds execution risk: a small first-year certificated staff (eight teachers) is expected to rotate across homeroom, direct instruction, dual-enrollment supervision, and specialized EL/SWD blocks in 94-minute blocks from 8:30 a.m. to 3:31 p.m. The school also elects not to participate in STRS or PERS, offering only Social Security and a 403(b) which is a material recruitment disadvantage for a model wholly dependent on attracting and retaining credentialed teachers.

Furthermore, the proposed site locations to dot appear to be suitable for a charter school and the Petition as originally submitted did not provide enough information for the Board to make a proper assessment. First, neither proposed site is secured or shown to be code-compliant. The petition concedes FCA “has not executed a lease or purchase agreement for a permanent school site,” relying on a non-binding Letter of Intent (LOI). Both sites presented include many challenges that the FCA must address if it expects the District to approve a charter petition for those sites.

For example, a church building must be brought up to Title 24 and entitled (conditional-use permit) for high-school use before students can occupy it but the petition makes no mention of compliance. Second, if FCA proceeds at this site, the Petition does not establish the conditions California law requires: a fair-market/arm’s-length lease so that no public money aids the church, secular use of the space during school hours, nonsectarian instruction, and the covering or removal of religious iconography in instructional areas during the school day.

FCA has since confirmed this. In correspondence after the public hearing, FCA stated that it identified the Living Way facility *after* submitting the Petition. It provided a nonbinding letter of intent and asked that it be included with the supplemental materials. Staff has reviewed the letter of intent. It does not cure the deficiency, for the following reasons.

By its own terms, the LOI is nonbinding, creates no right to occupy the property, and either party may withdraw without liability. The LOI expressly states that it is not a guarantee of site availability and not evidence that any governmental approval has been obtained. It also does not identify Living Way as the property owner. The transaction also remains subject to confirmation that the site can be used as a school under various requirements as discussed above. The LOI specifically notes that prior educational use of the site does not establish approval for FCA. FCA has not submitted evidence showing whether those approvals can be obtained before FCA’s planned July 1, 2027 opening.

Even if the sublease were finalized, the LOI does not show that the space can support FCA’s program. The LOI describes eight rooms, on a shared-use basis with an active church. Those rooms would hold all classrooms, administrative offices, student services, and college-course support for a grades 9-12 school projected to open with 150 students. Room boundaries, access during the school day and for extra-curricular, shared-use schedules, security, and student drop-off and pick-up are all left for future negotiation. The LOI also does not show how the site would accommodate FCA’s projected enrollment growth or the “classroom lab setting” FCA has committed to provide under its ASU dual enrollment agreement.

Finally, the facility costs are incomplete and have not been reconciled with FCA’s budget. The LOI proposes rent of \$12,000 per month beginning December 1, 2026. That implies approximately \$84,000 in rent before the school opens or receives any funding. There is also no accounting for renovation, rent increases, utilities, maintenance, or insurance.

Due to the foregoing, Staff finds petitioners are demonstrably unlikely to successfully implement the program set forth in the petition, in that the petition presents an unrealistic financial and operational plan.

(3) FCA is Demonstrably Unlikely to Serve the Interests of The Entire Community; Fiscal Impact and Duplication

Pursuant to Cal. Ed. Code 47605(c)(7) the Board may deny the Petition where the school is demonstrably unlikely to serve the interests of the entire community; the analysis “shall include consideration of the fiscal impact,” and the written finding must detail specific facts analyzing (A) undermining of existing services/offerings and (B) duplication of a program the District already offers with sufficient capacity within reasonable proximity.

As the Petition concedes, FCA’s program duplicates offerings the District already provides. FCA’s distinguishing features are dual enrollment, A-G college-preparatory coursework, and college/career pathways. The Petition’s own record shows the District already performs well on precisely these measures: FUSD “currently graduates 94.7 percent of students overall”; districtwide A-G completion is 63.1%, which the petition acknowledges “exceeds state and county averages” (~53.9% statewide; 49.8% countywide); and named comprehensive high schools already report substantial A-G completion (A.B. Miller 56.7%; Henry J. Kaiser 65.5%). These figures indicate the District already offers the college-preparatory and dual-enrollment pathways FCA proposes to replicate. The District currently offers students a range of dual-enrollment, early-college, and A-G college-preparatory pathways substantially similar to those described in the petition. The overlap between FCA’s proposed program and the District’s existing offerings, together with available capacity at nearby District schools, indicates that the proposed charter would largely duplicate programs already available to the community it seeks to serve.

The school targets the same students the District already serves and would divert ADA/LCFF revenue. FCA’s enrollment targets (~80% socioeconomically disadvantaged, 25–30% English learners, 10–15% students with disabilities, plus foster/homeless, justice-involved, and credit-recovery students) are drawn from the District’s existing student body, and a diversion of up to 350 students would reduce the District’s enrollment-driven funding. The enrollment of up to 350 students at the proposed charter school would divert a corresponding amount of average daily attendance (ADA) and associated Local Control Funding Formula (LCFF) revenue away from the District. The resulting fiscal strain would diminish the District’s capacity to serve the students who remain enrolled in District schools, concentrating the loss of resources on the very students and programs the District is obligated to support.

Because of the foregoing, staff finds FCA is demonstrably unlikely to serve the interests of the entire community, in that it would duplicate dual-enrollment and college-preparatory programs already offered by FUSD high schools that have sufficient capacity within reasonable proximity,

and would produce a fiscal impact undermining existing District services, as detailed in the specific facts set forth above.

CONCLUSION

District Staff reviewed the Fontana Collegiate Academy Charter petition utilizing the criteria for a charter petition set forth in Education Code section 47605 and Board Policy and Regulation 0420.4. The Petition does not meet the standards set forth therein. Therefore, District Staff recommends that the Petition be **DENIED** and that the District Board adopt findings consistent with this analysis at the regularly scheduled Board meeting on November 4, 2026.