

**TWIN RIVERS UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 618**

**Resolution Of The Board Of Trustees
To Approve The Petition To Renew The Charter Of The
“Sacramento Academic & Vocational Academy” Charter School**

WHEREAS, pursuant to Education Code section 47607, a petition to renew a charter shall be governed by the standards and criteria set forth in Education Code section 47605; and

WHEREAS, the “Sacramento Academic & Vocational Academy” (“Charter School” or “SAVA”) was first authorized and granted a charter (“Charter”) by the Grant Joint Union High School District Board of Education in March 2007, through the 2011-12 school year and thereafter the Charter was renewed by the Twin Rivers Unified School District (“District”) Board of Trustees (“Board”) for a five-year term commencing on July 1, 2012 through June 30, 2017; and

WHEREAS, on or about September 16, 2016, Dr. Cindy Petersen (“Petitioner”) submitted a petition (“Petition”) and supporting documentation to the District to renew the Charter for a five-year term commencing on July 1, 2017 through June 30, 2022; and

WHEREAS, on October 4, 2016, a public hearing was held to determine the level of support for renewal of the Charter by teachers, other employees of the District, and parents/guardians in accordance with Education Code section 47605(b); and

WHEREAS, on or about November 15, 2016, the Petitioner and District mutually agreed to extend the timeframe for final action on the Petition for thirty (30) days, and therefore in accordance with that agreement, the Petition is now before the Board for final action at a public meeting on December 13, 2016 pursuant to Education Code section 47605(b); and

WHEREAS, in reviewing the Petition to renew the Charter, the District’s Board of Trustees is cognizant of the intent of the Legislature that charter schools are, and should become, an integral part of the California educational system, and that establishment of charter schools should be encouraged; and

WHEREAS, in accordance with Education Code Section 47607(a)(3)(A), as the authority that granted the Charter, the Board shall consider increases in pupil academic achievement for all groups of pupils served by the Charter School as the most important factor in determining whether to renew the Charter; and

WHEREAS, in accordance with California Code of Regulations, Title 5, Section 11966.4(b)(1), in considering renewal of the Charter, the Board must also consider the past performance of the Charter School’s academics, finances, and operation and future plans for improvement in evaluating the likelihood of future success; and

WHEREAS, in accordance with Education Code Section 47607(b), charter schools must also meet certain academic performance criteria, primarily based on API calculations, before obtaining charter renewal; and

WHEREAS, on May 13, 2014, all charter school authorizers were notified by the California Department of Education that on March 13, 2014, the State Board of Education approved not calculating the 2014 Growth and Base Academic Performance Indexes (API's) and the 2015 Growth API. Accordingly, three alternatives were authorized by Assembly Bill 484 (Education Code section 52052 (e)(2)(F) & (e)(4)) to meet legislative and/or programmatic requirements that would otherwise depend upon those API calculations: (a) the most recent API calculation; (b) an average of the three most recent annual API calculations; or (c) alternative measures that show increases in pupil academic achievement for all groups of pupils school wide and among significant student groups; and

WHEREAS, pursuant to Education Code section 47607(b)(5) and 52052(g), charter schools that participate in the Alternative Schools Accountability Model ("ASAM") pursuant to Education Code section 52052(g), must comply with the alternative accountability system for such schools developed by the State Superintendent of Schools and State Board of Education; and

WHEREAS, the Charter School is an ASAM school and in the absence of a current alternative accountability system which has not been developed and/or implemented by the State Superintendent of Schools and State Board of Education for such schools, the Board's review of the Charter School's academic performance for renewal of the Charter rests with the criteria set forth in Education Code section 47607(a)(3)(A) and California Code of Regulations, Title 5, Section 11966.4(b)(1), set forth above, and as determined by the Board; and

WHEREAS, the Superintendent, and/or his designees, have reviewed the Petition and supporting documentation submitted by Petitioner.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Trustees finds that the documentation submitted by the Charter School evidences pupil academic achievement for all groups of pupils school wide and among significant student groups, as required by Education Code Section 47607, and as those requirements have been modified in conformance with the direction from the California Department of Education pursuant to the State Board of Education's suspension of the calculation of APIs, sufficient to warrant conditional approval of the Petition provided the Charter School implements the "Academic Improvement Plan" referenced below; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Trustees having fully considered and evaluated the Petition and supporting documentation, hereby approves renewal of the Charter (Attached as Exhibit A) for a term of five (5) school years commencing on July 1, 2017 and ending on June 30, 2022, unless otherwise earlier revoked in accordance with law, subject to the following conditions:

1. The Petitioner shall work with the District to develop an "Academic Improvement Plan" to ensure the likelihood of future success of the Charter School which shall include, but not be limited, to the following: plans to increase pupil academic achievement for all groups of pupils school wide and among significant student groups served by the Charter School; plans to

increase graduation rates and decrease dropout rates; plans that demonstrate students have access to information and support, once they are no longer enrolled in the Charter School, regarding alternatives which include partnerships with their school district of residence, i.e., Sacramento City Unified School District and Elk Grove Unified School District; and plans to develop and implement a documentation system that tracks what students are doing post-secondary, e.g., continuing education, moving into vocational school, attending adult school, etc.

2. The Petitioner shall work with the District to amend the Charter's educational program to address District concerns with the following: descriptions on "A-G Coursework" with reference to scope and sequence of curriculum aligned to the common core standards; descriptions regarding direct instruction including "labs" and "internships;" information as to how parents are notified of courses that do not meet A-G criteria; provide information on the criteria that is used to determine which students will have access to A-G courses or A-G courses with the added support to ensure success; provide the scope and sequence of each course or how core concepts are to be mastered and aligned with common core; provide clear descriptions of on-line and independent study programs, provide descriptions of how students have full access to the core curriculum, and the criteria used to determine why students are enrolled in either; and references to "RTI" training and programs will also describe how students are assessed/identified for these programs and at what intervals students are reassessed.

3. Due to the uncertainty created by the November 29, 2016, Petition for Review filed with the California Supreme Court regarding the October 17, 2016, California Court of Appeal of the Third Appellate District ruling in *Anderson Union High School District v. Shasta Secondary Home School* that geographic restrictions in Education Code sections 47605 and 47605.1 apply to all charter schools, whether classroom-based or nonclassroom-based, the Petitioner shall work with the District to develop an "Operational Contingency Plan" to ensure the likelihood of future success of the Charter School while this matter is pending before the Court. The "Operational Contingency Plan" shall include, but not be limited to, the following: plans to serve students at existing facilities within the District's boundaries; plans to obtain authorization from the local school district or County Board of Education for programs operating within those agency's geographical boundaries; and plans to submit a waiver to the State Board of Education

BE IT FURTHER RESOLVED AND ORDERED that renewal of the Charter is granted only on the condition that the Petitioner amends the Petition to remedy the deficiencies identified and complies with all of the requirements herein, as deemed fulfilled by the District's Administration and as set forth in a successor Memorandum of Understanding ("MOU") to be executed no later than February 28, 2017. Accordingly, renewal of the Charter shall not become effective until all such conditions are deemed fulfilled by the District's Administration within the timeframe ordered by the Board of Trustees.

BE IT FURTHER RESOLVED AND ORDERED that the District Superintendent or his designee is authorized and directed to take such other action as he may deem warranted to implement this Resolution, including the execution of the MOU and any other agreements setting forth the arrangement and agreement between the parties in furtherance of the renewal of the Charter as approved herein.

BE IT FURTHER RESOLVED AND ORDERED that, pursuant to Education Code section 47605(i), the Petitioner shall provide written notice of the Board of Trustees' approval of renewal of the Charter upon fulfilling all of the conditions herein, and shall provide a copy of the Charter to the Sacramento County Superintendent of Schools, and the California Department of Education.

PASSED AND ADOPTED this 13th day of December 2016 by the Board of Trustees of the Twin Rivers Unified School District by the following vote:

AYES: _____
NOES: _____
ABSENT: _____

CERTIFICATION

State of California)
) ss.
County of Sacramento)

I certify the above is a true copy of a Resolution adopted by the Board of Trustees of the Twin Rivers Unified School District at a regular meeting on Tuesday, December 13, 2016.

Dated: December 13, 2016

BOARD OF TRUSTEES OF THE
TWIN RIVERS UNIFIED SCHOOL DISTRICT,
COUNTY OF SACRAMENTO,
STATE OF CALIFORNIA

By: _____
Dr. Steven Martinez
Superintendent

EXHIBIT A