FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
1965 Birkmont Dr., Rancho Cordova, California 95742

Board Meeting

June 23, 2022

STAFF REPORT
Charter Petition
Design Tech High School Rancho Cordova

I. BACKGROUND

Design Tech High School - Rancho Cordova submitted a petition to the Folsom Cordova Unified School District (District or FCUSD) to establish a charter school. The petition was formally received by the Folsom Cordova Unified School District on April 22, 2022. Pursuant to Education Code section 47605, subdivision (b), on June 9, 2022, within 60 days of receiving the petition, the Folsom Cordova Unified School District Board (Board) held a public hearing on the provisions of the charter, at which time the Board "consider[ed] the level of support for the petition by teachers employed by the district, other employees of the district, and parents." Education Code section 47605, subdivision (b) requires the Board to "either grant or deny the charter within 90 days of the receipt of the petition." The Board will consider whether to grant or deny the petition during its June 23, 2022, meeting.

If the District grants the petition, Design Tech High School becomes a legal entity. Under Education Code section 47605, subdivision (j)(1), if the District denies the petition, Design Tech High School may appeal the denial to the Sacramento County Board of Education (SCBE). If the SCBE grants the petition, the SCBE becomes the authorizing agency over Design Tech High School. If the SCBE denies the petition, then Design Tech High School may appeal to the State Board of Education (SBE). (Ed. Code, § 47605, subd. (j)(1))

II. STANDARD FOR REVIEW OF CHARTER PETITION

Education Code section 47605, subdivision (c), sets forth the following guidelines for governing boards to consider in reviewing charter petitions:

> 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 establishment of charter schools should be encouraged.
>
> A school 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 proposed to locate.
>
> The governing board of the school district shall consider the academic needs of the

pupils the school proposes to serve.

The governing board of the school district 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 statute.

(4) The petition does not contain an affirmation of each of the conditions required by statute.

(5) The petition does not contain reasonably comprehensive descriptions of the following required elements of a charter petition.

a. A description of the educational program, description of the goals and the students the charter school is attempting to educate;
b. The measurable pupil outcomes identified for use by the charter school;
c. The method by which student progress is to be measured;
d. The governance structure of the charter school;
e. The qualifications of individuals to be employed by the charter school;
f. The procedures the charter school will follow to ensure health and safety of pupils and staff;
g. The means by which the charter school will achieve a balance of racial pupils, special education pupils, and English learner pupils;
h. Admission policies and procedures;
i. The manner in which annual, independent financial audits will be conducted;
j. The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons;
k. The manner by which employees will be covered by 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. Rights of employees leaving employment of the school district to work in a charter school and any rights of return;
n. The procedures to be followed by charter school and chartering

authority to resolve disputes relating to provisions of the charter.
o. The procedures to be used if the charter school closes.

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

a. 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.

In addition to the above considerations, the review and analysis of the petition was also guided by the regulations promulgated by the State Board of Education (SBE) for the SBE's evaluation of charter petitions [Cal. Code Regs, tit. 5, §11967.5 et seq. (Regulations)].

III. STAFF REVIEW TEAM

The petition was thoroughly reviewed by a team of District staff members who each reviewed the petition, or sections thereof, as relevant to their area of expertise. The following individuals comprised the staff review team (Staff Team):

- Sarah Koligian, Ed.D. - Superintendent
- Don Ogden - Associate Superintendent, Human Resources
- Betty Jo Wessinger - Assistant Superintendent, Special Education/Director, SELPA
- Jim Huber, Ed.D. - Assistant Superintendent, K-12 Curriculum & Instruction
- Sean Martin - Assistant Superintendent, Business Services
- Angela Griffin Ankhelyi - Director, Communication & Community Engagement
- Angi Carlomagno - Director, TK-12 Curriculum & Instruction
- Elena Cabrera - Director, Categorical Programs & Grants

- Iyuanna Pease, Ed.D. - Director, Social Emotional Learning & Educational Equity
- Kerri L. Kaye - Director, Health Programs & Services
- Linda Thurlo - Director, Fiscal Services
- Lori Emmington - Director, Human Resources
- Scott Meyer - Director, Attendance & Due Process and Behavior Intervention & Student Services
- Matt Washburn - Chief Operations Officer, Facilities Planning & Construction
- Kate Hazarian - Coordinator, Social Emotional Academic Development
- Kay Malhi Heusser - Coordinator, Testing & Assessment
- Pam Oien - Coordinator, Education Technology & Information Systems
- Charity Pelz - Personnel Analyst, Human Resources
- Cindy Martin - Application Support Specialist, Education Technology & Information Systems
- Alicia Caddell, Career and Technical Education Coordinator
- Annie Conover - Principal, Walnutwood High School
- Kimberly Walker - Principal, Innovations Academy
- Kristina Richardson - Principal, Folsom Cordova Community Charter School
- Jerad Hyden - Principal, Cordova High School
- Howard Cadenhead - Principal, Folsom High School
- Kimberly Moore - Principal, Vista Del Lago High School

Legal review was performed by outside counsel Lozano Smith Attorneys At Law.

IV. SUMMARY OF FINDINGS OF FACT AND DISTRICT STAFF RECOMMENDATION

The options before the Board with regard to the petition are as follows: (1) Approve the petition; (2) Deny the petition.

Following a comprehensive review and analysis of the petition by the Staff Team and legal, **DENIAL** of the petition is recommended based on the following conclusions:

1. Granting the Design Tech Charter is not consistent with sound educational practice and with the interests of the community in which the school is proposed to locate.
2. Design Tech High School is demonstrably unlikely to successfully implement the program set forth in the petition [See Staff Analysis and Findings of Fact, Section V, Part 3]; and
3. The petition does not contain reasonably comprehensive descriptions of the required elements of a charter petition [See Staff Analysis and Findings of Fact, Section V, Part 3]; and
4. Design Tech High 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 [See Staff Analysis and Findings of Fact, Section V, Part 3].

Factual findings regarding areas of concern with the petition are described below. This report *describes areas considered met as well as deficient and significantly deficient areas in the petition*. Those areas that are deficient and significantly deficient support and form the basis for the findings and recommendations that most greatly impact the Board's decision on whether to

grant or deny the petition. Given the extent of and number of deficiencies, our due diligence is to recommend a denial of the petition. Should the Board take action to deny the petition, it shall adopt this report as the written factual findings required to support its denial of the petition.

V. FCUSD STAFF ANALYSIS AND FINDINGS OF FACT

1. Areas Considered Met

The following sections of the petition were noted as met based on the evaluation criteria set forth in California Education Code section 47605. Since these areas meet evaluation criteria, no analysis is provided.

- Item A: Description of Vision, Mission and Educational Program
- Item B: Measurable Pupil Outcomes
- Item C: Student Progress Measurement
- Item D: Governance Structure
- Item H: Admission Requirements
- Item I: Annual Independent Financial Audits
- Item J: Suspension and Expulsion Procedures
- Item K: California State Teacher Retirement System
- Item M: Post-employment Rights of Employees
- Item N: Dispute Resolution Process
- Item L: Public School Attendance Alternatives
- Item O: Closure Procedures
- Financial/Administrative Plan
- Charter Management Organization, i.e., Entities Managing Charter Schools
- Signatures: Petition Provided the required number of staff signatures. Either parent or staff signatures may be provided but both are not required

2. Areas Considered Deficient

The following sections of the petition were noted as deficient based on the evaluation criteria set forth in Education Code 47605

- Item F: Health and Safety Procedures
- Item G: Racial and Ethnic Balance
- Item K: California State Teachers Retirement System
- Item M: Post Employment Rights
- Item N: Dispute Resolution Procedures
- Facilities
- Required Affirmations

Analysis:

Note this analysis will address those areas considered deficient.

Item F: Health & Safety Procedures

Section F, Health & Safety Procedures requires assurances on compliance with Americans with Disabilities Act (ADA). The assurance includes students but not employees. Adding employees would make this item compliant.

Item G: Racial and Ethnic Balance

Education Code section 47605(c)(5)(G) requirement: The petition, at minimum, describes 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.

While Petitioner strives to recruit staff and students reflective of the Rancho Cordova community, the recruitment plan outlined is vague and does not address cultural responsiveness. Within the Folsom Cordova Unified School District (FCUSD), more than 60 languages are represented. The plan lacks planning efforts to recruit diverse staff and retention of diverse students and staff.

Page 52, Petitioner states: "We know that a multicultural environment enhances our program and is essential to promoting cross-cultural awareness among students. A diverse cultural and linguistic community is fundamental to our vision." There are no developed or planned benchmarks for achieving balance. Document other areas that show efforts at racial balance, cultural diversity and Anti Racism

Facilities

The petition does not describe the location of the charter school facility that the petitioner proposes to operate, including: size and resources; safety; and educational suitability.

Education Code section 47605(a) requires charter school petition to identify a single location within its authorizer's boundaries and to identify the facilities to be used by the school. This requires Design Tech High School to identify an actual school site the school intends to use, and not a wish list of qualifications.

The following minimum requirements are not met both of which are major concerns:

a. Current and projected availability of each charter school site, and schedule for securing the facility. A facility has been identified but not secured. Furthermore, improvements will be required including construction of classrooms, etc.

b. The petition lacks assurances of all legal compliance with health and safety, ADA, and applicable building codes which is a major safety concern.

The Petitioner indicates serving a 9th grade cohort and adding an additional grade each year until a full 9-12 program is achieved in 2026-2027. Initial enrollment is estimated at 150 students,

growing to 580 students by 2026-2027. The Petitioner has not identified a facility within our district boundary other than the facility will be in Rancho Cordova.

Because of the lack of an identified facility, the District is unable to determine that the Petitioner would be able comply with all building codes, federal American Disability Act requirements, life and safety requirements, educational program requirements and physical facility attributes, including adequate parking and student drop-off areas. The Petitioner does not project a cost associated with these items. These costs would more than likely cost the Petitioner an extraordinary amount of money.

The Petitioner projects a repair and maintenance budget of $10,000 in the initial operational year increasing to $13,113 by year five of operation. This is an unrealistic projection, even if the building is new.

The Petitioner has stated that it may request facilities through Proposition 39 (district provided facilities). For the District to offer the Petitioner facilities through Proposition 39, the Petitioner must have 80 Folsom Cordova Unified School District students with meaningful intent to enroll, and those who live within the district boundaries. As of May 25, 2022, the District has not been provided a list of students with meaningful intent to enroll in Design Tech High. The Petitioner has not met that requirement, Education Code 47614(b)4, and therefore, the District is not required to provide facilities.

During a telephone conversation on June 6, 2022, Ken Montgomery, Director, advised that the Board Advisory Committee is working on locations and has identified 3 possible locations in the Cordova Villa Elementary School area. The target is a location that qualifies under Senate Bill (SB) 47, that is an attendance area that is 50% or more free and reduced lunch. Pursuant to their petition, the charter school's financial viability depends on it. It was also noted that Petitioner may request Proposition 39 facilities, but that is not their first choice.

Required Affirmations

The Design Tech High School Petition lacks the following two affirmations:

1. On page 10 within the Affirmations and Declarations, the petition states the following:

"The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019-2020 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment."

Pursuant to Assembly Bill 1505, this exception does not apply to newly opened charter schools. Teachers employed by schools opened after the 2019-2020 school year must hold the appropriate credential.

2. Affirmation that the school will comply with all federal, state and local laws as required for charter schools.

3. Areas Considered to Have Significant Deficiencies and Supporting Denial

The staff analysis noted factual findings and significant deficiencies in the following required elements based on Education Code 47605:

- Item E: Qualifications of Individuals (under Finding 3)
- Special Education (Under Findings 2 and 3)
- Community Impact (under Finding 4)
- Unsound educational program (Finding 1)

Finding 1: Design Tech High School presents an unsound educational program for the pupils to be enrolled in the charter school.

California Education Code 47605 states: " The governing board of the school district shall consider the academic needs of the pupils the school proposes to serve. The governing board of the school district 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.

"The California Code of Regulations provides guidance regarding factors to be taken into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program." Those considerations include petitioner's "past history of involvement in charter schools." (5 C.C.R. § 11967.5.1(c)(1).)

Design Tech High School states in their petition they will actively recruit and prepare to serve a student population that is representative of the local community. The petition states on page 24, "Students will come to believe that the world can get better and that they can play a part in its improvement. These traits cut across demographic groups." Design Tech High School is not targeting any one subgroup of the population, although they are aware of the demographic make-up of Rancho Cordova. The assumption is that Design Tech High School would draw the same demographic of students as the Community.

Unfortunately Design Tech High School Redwood City has not demonstrated that it has been able to successfully recruit, enroll, or retain a demographic that is representative of the community or to meet the needs of students from these groups. Design Tech High School states in their petition (page 23), they "will primarily aim to serve families in the Folsom Cordova Unified School District residing in Rancho Cordova and the surrounding area." Since most of their students would come from Cordova High School, comparisons are made with Cordova High School.

Demographics of Communities

(Source: 2020 United States Census and California Department of Education, Dataquest)

	White	Black or African American	Asian	Hispanic or Latino	Gender
Rancho Cordova	58.2%	10.6%	13.7%	20.7%	Female 51%
Cordova High School % of enrollment	32.2%	10.1%	7.4%	38.4%	48.3%
Redwood City	55.9%	1.5%	15.8%	36.3%	Female 50.1%
Design Tech High School % of enrollment	44.9%	0.7%	23.7%	13.5%	37.5%

As demonstrated in the above chart, the racial and ethnic makeup of the student population is predominantly Asian and White. Hispanics, African Americans, and females are underrepresented at Design Tech High School. Historically marginalized students, including Black or African American, Hispanic or Latino and females make up a much larger percentage of the student population at Cordova High School.

Other Demographic Data

(Source: 2020 United States Census and California Department of Education, Dataquest)

	Household Median Income	**Persons in Poverty**	**Homeless**	**Foster**	**Language other than English spoken in home**
Rancho Cordova	$69,963	11.6%	N/A	N/A	36%
Cordova High School % of enrollment	N/A	Socioeconomically Disadvantaged 57.7%	6.2%	0.5%	English Learner 16.7%
Redwood City	$123,294	7.6%	N/A	N/A	46%
Design Tech High School % of enrollment	N/A	Socioeconomically Disadvantaged 7.2%	0	0	English Learner 0.7%

While Redwood City has a higher rate of other languages in the home, the rate of English Learners at Design Tech High School is less than 1%. Even though the rate of Socioeconomically Disadvantaged students at Design Tech High School is representative of the community, it is a very small group of students.

Cordova High School represents a much more diverse and representative group of students than Design Tech High School. While Design Tech High School's petition asserts their program is designed for all students, including those from historically marginalized groups (page 24), and that it will provide extra support to students who qualify for free/reduced meals and English learners, it appears they have made minimal effort to recruit, enroll or retain these students in their program. As represented in the chart below, socioeconomically disadvantaged students at Design Tech or performing significantly lower than their counterparts in Folsom Cordova Unified School District and Cordova High School in English and poorer to slightly better in math.

California Assessment of Student Progress and Performance (CAASPP)

CAASPP Distance below Standard	English Language Arts	Mathematics
Design Tech High School	-56.3	-97.5
Cordova High School	-19.2	-98.6
Folsom Cordova Unified School District	-.31	-62.3

Design Tech High School states they are uniquely positioned to provide a responsive learning environment that addresses the diverse needs of learners and prepares them to flex, adapt, and succeed in high school and beyond. Two measures of success in high school and beyond are the high school graduation rate and college and career readiness. Design Tech High School Redwood City has not demonstrated their programs meets or exceeds Folsom Cordova Unified School District or Cordova High School

Graduation Rate Comparison
(Source: California School Dashboard)

Year	Design Tech High School (DTHS)	DTHS Socioeconom-ically disadvantaged students	Folsom Cordova Unified School District	Cordova High School	CHS Socioeconom-ically disadvantaged students
2017	86.1%	No data	97%	93.6%	No data
2018	81.3%	68.4%	91.9%	91.9%	91.8%
2019	86.1%	78.6%	89%	90.4%	89.7%
2020	95%	90.5%	91%	89%	87.1%
2021	94.6%	82.4%	93.6%	91.1%	81.5%

The 2017-2021 graduation rates in both Folsom Cordova Unified School District and at Cordova High School exceeded Design Tech High School 3 of the past five years. Cordova High School graduation rates are comparable to district graduation rates. What is notable is that Socioeconomically disadvantaged students at Cordova High School compared much more closely to the Cordova High School graduation rate than Design Tech High School. Socioeconomically

disadvantaged students at Design Tech High School performed much lower than their peers in most years.

College and Career Readiness
(Source: California School Dashboard)

Year	Design Tech High School (DTHS)	DTHS Socioeconom-ically disadvantaged students	Folsom Cordova Unified School District	Cordova High School	CHS Socioeconom-ically disadvantaged students
2017	2.5%	*	56.4%	32.3%	26%
2018	61.2%	*	53.6%	31.6%	29.3%
2019	2.5%	*	51.5%	32.5%	27.9%

*student group too small- no data available

College and Career Readiness was inconsistent over three years at Design Tech High School but was lower in most years than the District. Students in Folsom Cordova Unified School District and at Cordova High School were more prepared for college or a career at graduation than Design Tech High School Students. Notably, Socioeconomically disadvantaged students were nearly as well prepared as their peers.

Looking at historically marginalized students, Design Tech High School has not attracted Hispanics or English Learners, which is a large percentage of students at Cordova High School. Homeless, foster and African American students are represented minimally if at all at Design Tech High School. Socioeconomically disadvantaged students make up a small percentage of students at Design Tech High School while they make up 57.7% of the students at Cordova High School.

Design Tech High School has attracted mostly white and Asian students. While Redwood City has a lower population of whites than Rancho Cordova, Design Tech has attracted a larger percentage of white students than Cordova High School. Redwood City and Design Tech High School both have a higher percentage of Asians than Rancho Cordova and Cordova High School.

All students benefit from heterogeneous grouping. The enrollment of mostly white and Asian students and a smaller percentage of Hispanic students to Design Tech will create more homogeneous groupings of students at Cordova High School and at Design Tech High School. Our neediest students including English learners, socioeconomically disadvantaged students, homeless and foster students will not have access or opportunity to a high quality program that supports their needs at Design Tech High School. African American students and female students are

underrepresented at Design Tech High School. These homogenous groupings at both schools may result in de facto segregation. De facto segregation is a segregation of racial groups that arises as a result of economic, social, or other factors rather than by operation or enforcement of laws or other official state action (Merriam-Webster Dictionary).

Design Tech High School has not demonstrated that it can meet the diverse needs of Rancho Cordova students. Furthermore, their enrollment data indicates that they are not doing an adequate job of attracting a diverse student population that is representative of the community they serve or that all students within the community they serve are able to access the school.

Finding 2: Design Tech High School is Demonstrably Unlikely to Successfully Implement the Program Set Forth in the Petition.

Special Education

It is unclear under which special education local plan area (SELPA) Design Tech High School intends to operate. The petition on pages 53-54, references Design Tech high School applying to become its own local education agency (LEA) and join a SELPA. There is no documentation that Design Tech has consulted with a SELPA regarding membership.

It is unclear which set of policies and procedures Design Tech High School will follow. The petition states on page 57 that "Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the District and of the SELPA…" If Design Tech High School is implementing Folsom Cordova Unified School District policies and procedures it would fall under the Folsom Cordova SELPA. While Design Tech High School would have the option of joining the Folsom Cordova SELPA, the SELPA's funding allocation would significantly alter Design Tech High School's special education budget.

In Appendix 17: Budget Narrative, the budget is based on the assumption that Design Tech will join the El Dorado County SELPA. Because fiscal allocation plans vary from SELPA to SELPA, there could be substantial costs associated with membership in another SELPA including the FCUSD SELPA.

Although Design Tech High School states that it will ensure that any student with a disability is properly identified, assessed and provided with necessary support, it has only identified one special education teacher in year one and year two, and what appears to be one instructional aide. If Design Tech High School hired an Education Specialist with a mild/moderate credential, they would not have the capacity to serve students with intensive needs. There is $20,000.00 allotted for special education contractors which would be presumably speech and other related services. The average rate for contracted speech is $110.00 per hour which would amount to less than 5 hours per week of related services over 37 weeks.

Design Tech High School's target student population is students residing in Rancho Cordova. Students with disabilities make up 18.2% of the population at Cordova High School. At Design Tech High School Redwood City, students with disabilities make up 13.3% of the population. It is unclear what percentage of students have mild to moderate disabilities and which have moderate to severe disabilities but each need requires a different credential. With an estimated 150 students per year, the special education student population would amount to between 19 and 27 students with IEPs in year one and 38 and 54 students in year two. The staffing ratio for an education specialist at Design Tech High School is set at 20:1. One education specialist with only one credential, plus one instructional aide will not be enough staffing to support the students, nor will 5 hours per week of related services.

Finding 3: The Petition Does Not Contain Reasonably Comprehensive Descriptions of the Following Required Elements.

Item E: Qualifications to be Met by Individuals Employed by the Design Tech High School

The petition states: "Teachers employed by charter schools during the 2023-24 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment."

Assembly Bill (AB) 1505 mandates all teachers hold the proper credential for all charter school courses. It does allow teachers who were already teaching a non-core or non-college preparatory assignment at a charter school during the 2019-20 school year have up to five additional years to obtain the appropriate credential. These educators must hold the appropriate credential before July 1, 2025. It further confirms that charter school teachers newly hired for their assignment in the 2020-21 school year (and beyond), or who maintain employment at the same charter school but are assigned to a new teaching assignment, are required to hold the appropriate certification for their assignment. Ed code 47605 as amended by Assembly Bill 1505 mandates that all teachers hold a proper credential.

As a new charter school, teachers newly hired for the 2020-2021 school year and beyond, or who maintain employment at the same charter school but are assigned to a new teaching assignment (i.e., being reassigned to Design Tech High School Rancho Cordova), are required to hold the proper credential.

The statement that charter school teachers employed during the 2019-2020 school year have up to five years to obtain the appropriate credential does not apply to Design Tech High School because Design Tech High School is planning to open during the 2023-2024 school year. At that time, pursuant to Assembly Bill 1505, all teachers are required to hold the appropriate credentials. In order to be compliant with credentialing, any teacher working at Design Tech High School would need to be appropriately credentialed. It should be noted that any credentialing concerns are a ***major*** issue, since FCUSD, as the authorizing district, has oversight of credentialing compliance.

Finding 4: Design Tech High School is Demonstrably unlikely to Serve the Interests of the Entire Community in which the School is Proposing to Locate.

Community Impact

Design Tech High School is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Pursuant to California Education Code 47605(c)(7), "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 whether the existing program has sufficient capacity for the pupils proposed to be served within the reasonable proximity to where the charter school intends to locate."

FCUSD staff considered the fiscal impact of Design Tech High School, as well as a review of the proposed program, whether the existing program duplicates a program currently offered within FCUSD, and whether the existing program has sufficient capacity for the pupils proposed to be served within the reasonable proximity to where the charter school intends to locate and determined the proposed program has:

1. A substantial fiscal impact on existing FCUSD programs; and
2. Substantially undermines existing services, academic offerings, or programmatic offerings;
3. Duplicates programs currently offered within FCUSD; and
4. The existing program has sufficient capacity for the pupils proposed to be served within proximity to the proposed Design Tech High School location and in fact has greater capacity to serve FCUSD students than Design Tech High School.

The Fiscal Impact of Design Tech High School Substantially undermines existing services, academic offerings, or programmatic offerings

It is unknown the percentage of students enrolled at Design Tech High School who will come from FCUSD, so a range from 100% to 70% will be used. Based upon projected Local Control Funding Formula per Average Daily Attendance (assuming 95% attendance rate), FCUSD potential loss of funding is:

Summary of Fiscal Impact
Loss of Enrollment

Enroll-ment Lost	% of Population From FCUSD	2023-4 Net Funding Loss	2024-5 Net Funding Loss	2025-6 Net Funding Loss	2026-7 Net Funding Loss	2027-8 Net Funding Loss	Total Loss Over 5 Years	Max Teachers Lost
150-580	100%	$1,406,582	$2,987,375	$4,600,377	$6,340,222	$6,368,841	$21,703,396	23.20
135-522	90%	$1,265,991	$2,690,738	$4,144,510	$5,712,300	$5,712,300	$19,553,556	20.88
120-464	80%	$1,125,265	$2,394.100	$3,688,643	$5,084,528	$5,084,528	$17,403,879	18.56
105-406	70%	$ 984,675	$2,097,463	$3,232,922	$4,456,606	$4,456,606	$15,254,184	16.24

A fiscal analysis of the average daily attendance (ADA) over the first five years of Design Tech High School operation shows an estimated cumulative loss of between $15,254.184 and $21,703.396. These estimates in ADA loss do not include potential district savings from a reduction in FCUSD staff to adjust for a reduction in enrollment.

The following table demonstrates the staffing for Cordova High School for the 2021-2022 School Year.

Cordova High School 2021-2022 Staffing
Enrollment: 1955

Certificated	Classified
1.0 Principal	**Classified**
4.0 Assistant Principal	Admin Asst
5.0 Counselor	Registrar
83.6 Teachers (includes temps/120s)	Account Clerk II
1 ROTC	Student Body Tech
1 Academic Support Coach	4 School Clerk
1 Librarian	Clerk Typist
19 Special Education Teachers	Health Asst
School Nurse	Library Clerk
2 School Psychologists	Career Guidance Clerk

Stipends: 13 Division Leads; Athletic Director	Account Clerk I
	5 Bilingual Interpreters
	2 Building & Grounds
	1 Lead Campus Monitor
	4 Campus Monitor
	2 In -School Suspension
	Head Custodian
	Lead Night Custodian
	6 Custodian
	Food Service Technician
	13 Food Service Worker
	Food Service Worker II
	15 Sped Instructional Asst
	22 Paraeducator Mod/Sev
	2 Transition Assistant Sped
	2 Mental Health Specialist
	Marriage Family Therapist (SCOE)
	Occupational Therapist
	Speech Therapist
	Physical Therapist

Total CHS Staffing Budget 2021-2022: 18,000,000
Total CHS Staff 119 Certificated + 95 Classified = 214 employees

The 2021-2022 staffing represents a staffing ratio of 1:11 staff to students. Design Tech High School proposes small class sizes but with their proposed budget and staffing, they are not able to provide the supports for students that FCUSD provides.

The financial impact to Folsom Cordova Unified School District is substantial. The total net loss of 580 students over 5 years = $21,703,396. This is the equivalent of a reduction in staff of about 24 certificated and 40 classified staff over 4 years. Services and programs in Rancho Cordova would be substantially undermined.

Due to the impact on enrollment, the district would have to examine the viability of programs at Cordova High School. These programs include JROTC, electives, academic support periods, and the International Baccalaureate Program on an annual basis. Design Thinking which is the program

Design Tech High School proposes to operate in Rancho Cordova is embedded throughout the International Baccalaureate Program.

DUPLICITY IN PROPOSED PROGRAM

Design Tech High School is a charter organization that opened a small high school in the San Mateo Union High School District in 2014, celebrating their first graduating class in 2018. The proposed school would duplicate the model, located on the Oracle campus in Redwood City, within the boundaries of the Folsom Cordova Unified School District. Design Tech High School would look similar to other neighborhood schools (bell schedule, lunch, passing periods, advisory, etc.) with the exception being the physical plant which would most likely be a structure more commonly identified as a business or commercial property.

Staff finds that approval of Design Tech High School would substantially undermine existing services, academic offerings, and/or programmatic offerings currently within the Folsom Cordova Unified School District. Moreover, Design Tech High School would duplicate programs currently offered within the Folsom Cordova Unified School District, and Folsom Cordova Unified School District has sufficient capacity for students Design Tech High School proposes to serve. As such, the Design Tech High School petition is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.

Many of the experiences Design Tech High School outlines as “unique” to Design Tech High School as reasons to open the charter are experiences that are offered throughout Folsom Cordova Unified School District. It is unclear whether Design Tech High School is offering any additional educational services or programs beyond what already exist within Folsom Cordova Unified School District, and are available to the parents and students for which Design Tech High School proposes to serve. Also, there are no data points to show that Design Tech High School will be more successful than schools and programs already provided by Folsom Cordova Unified School District.

Folsom Cordova Unified School District is responsive to the needs of the community. Whether it be innovative programs such as International Baccalaureate and Career Technical Education, quickly moving students and faculty into distance learning through 1:1 computer distribution and hundreds of hours of technology training for teachers moving their instruction to online learning, being the first district to bring students back to in-person learning in Sacramento County, or opening a brand new K-12 Online Academy for students who thrive in that environment, Folsom Cordova Unified School District has a long history of executing and supporting innovative educational programs.

Design Tech High School lists six elements that create a “unique” high school experience.

1. A competency based curriculum
2. Variable and flexible schedules based on student need
3. An A-G approved design thinking class for every student
4. Innovation Diploma Program

5. Industry Partner Based Intersession Program
6. Access to low-tech and high-tech tools

Each of these six elements currently exist within Folsom Cordova Unified School District, as discussed in more detail below:

1. A competency based curriculum:

Students throughout Folsom Cordova Unified School District have a variety of high schools that provide access to “competency based” curriculum. At Cordova High School the IB Middle Years Program (MYP), for students in 9th and 10th grade, take course work where they can show their competency through a multitude of assessments such as project based assignments, portfolio work, presentations, etc. The same opportunities exist for Juniors and Seniors who enroll in IB Diploma courses, the IB Career Programme, four California Partnership Academies and CTE programs of study.

At the high school level, Folsom Cordova Unified School District offers Career and Technical Education (CTE) programs in ten different industry sectors and twenty-one pathways to students. CTE programs of study are built upon the principles of Project Based Learning (PBL) as students put their learning into actual practice with hands-on, program based and authentic learning that integrates core academic curriculum with technical and occupational curriculum, to provide students with a pathway to post-secondary education and careers. The key components of CTE programs include: High quality curriculum and instruction, alignment with California Standards for Career Ready Practice, Knowledge and Performance Anchor Standards, CTE Pathway Standards, CCSS (Common Core State Standards), and industry standards in pathway classes. An inquiry-based approach: shift to utilizing essential questioning strategies, student learning targets, and product or performance based summative assessments. Project based learning: Hands-on experience both inside and outside of the classroom. Career exploration and guidance: Workforce based learning including: employability skills, mentoring, and internships. A sequence of courses that provides students a pathway to expertise and completion of the pathway (2-3 levels of Introduction, Concentrators, and Capstone courses). Project Lead the Way STEM courses, AP and Honors courses, Student leadership development: Career Technical Student Organizations (DECA, FCCLA, FFA, HOSA and SkillsUSA). Industry certifications. Industry partnerships: Industry advisory meetings, community classroom/internships, work based learning, field trips, and featured guest speakers. Early college credits: Articulation agreements with local community colleges, Accelerated College Entrance with CSUS, Rancho Cordova Promise Program with Folsom Lake College and the Construction Program Promise to Career with Cosumnes River College. A-G credit: U.C. approved courses, AP and Honors CTE courses and work-based learning programs.

Of the ten CTE industry sectors and twenty-one pathways offered in FCUSD, seven industry sectors and nine pathways are offered at Cordova High School.

- Agriculture & Natural Resources
    - Agriscience

    - Animal Science
    - Ornamental Horticulture
- Arts, Media & Entertainment
    - Production & Managerial Arts
- Building, Trades and Construction
    - Residential & Commercial Construction
- Health Science & Medical Technology
    - Patient Care
- Hospitality, Tourism & Recreation
    - Food Service & Hospitality
- Manufacturing & Product Development
    - Product Innovation & Design
- Marketing, Sales & Service
    - Professional Sales

For a full listing of CTE Pathways see (Exhibit A). All FCUSD students, including students in Rancho Cordova have access to all District CTE programs.

2. Variable and flexible schedules based on student need.

Folsom Cordova Unified School District high schools provide a variety of flexible schedules depending on student needs. Both Vista del Lago and Folsom High Schools have advisory programs (Flex and PAWS) that allow students extra opportunities for additional help with academics, time to work on specific projects, engage in enrichment activities, etc. CHS does not currently offer an Advisory (e.g. PAWS/Flex) by design. This is an intentional decision which allows us to offer 10 additional units per school year to provide the following: accelerated learning growth and intervention for our most marginalized students, and the ability to expand learning opportunities and the CORE IB tenets for advanced students.

We continuously articulate with our feeder sites to identify diagnostic and performance student data and then align our seven courses to maximize learning, while still offering enrichment in the form of robust electives, CTE coursework, MYP classes, and both French/Spanish to meet A-G requirements.

Cordova High School also offers a school-wide tutoring program before and after school, Late Night Library, a Writing Center (facilitated by their English Department), and an Opportunity Program directly following Semester 1 to target credit-recovery during the school year.

Walnutwood High School, Innovations Academy, Kinney High School and Folsom Lake High School are, by the very nature of their programs, schools that allow students the opportunity to work within a flexible high school schedule that fit a variety of unique student needs, all within the framework of a small, alternative high school setting.

3. An A-G approved design thinking class for every student.

In the IB Middle years program, through 10th grade, all A-G science classes follow the Design Inquiry Cycle. Juniors and seniors also take course work through the IB Diploma classes, IB Career Programme courses and CTE courses that require students to examine complex problems, build and test real world solutions and think critically about the problems facing their community, our nation and the world in general. Students in the Global Perspectives Studies program work with design concepts to support project based learning and problem solving.

In approximately 2016, the Folsom High Global Perspective Studies (GPS) teacher and administrator team visited Stanford University's "D School" and Design Tech High to develop a proficient understanding of "Design Thinking" with the goal of implementing the process into the GPS program. Folsom High GPS students begin using the process of design thinking as a model to drive critical thinking and problem solving about real world problems. The model serves GPS specifically as it is driven by the concept of empathy and requires students to develop a deep, well-rounded understanding of an issue.

Students in the GPS program use Design Thinking to drive their senior project that addresses a global issue in partnership with a global service organization. These capstone projects are presented to a group of community leaders. Through the presentation, students describe how they use the Design Thinking process to drive their work.

4. Innovation Diploma Program

Like the Innovation Diploma Program, with students around the world participating in the program, The International Baccalaureate Diploma Programme is a global educational program that provides a diploma that is recognized not only nationally but in many universities throughout the world. Students earning the IB Diploma have studied deeply in the required six core areas, including a world language and passed rigorous assessments evaluated by proctors internationally. They have also completed the Extended Essay requirement, explored the nature of knowledge through the unique Theory of Knowledge course and completed the three strands of CAS (Creativity, Activity and Service).

5. Industry Partner Based Intersession Program

A CTE Summer Preceptorship Program is offered to 11th grade students. The work-based learning high school class offers students in-class instruction on professional, career and employability skills, a four-week internship with a business partner and a research project that culminates in a TED Talk. Students apply online for the program and participate in a panel interview to emulate the world of work.

Students benefit from work-based learning in CTE capstone courses where they work with business partners outside of the classroom, participate in service learning projects and mentor elementary and middle school students.

The CTE students participate in STEM competitions, Career Technical Student Organization Leadership Conferences and Competitions at the local, regional, state and national levels.

6. Access to low-tech and high-tech tools

All FCUSD high school students have a personal computing device that is assigned to them and is theirs to use over the course of their ~~4~~ four years in high school. Also, FCUSD students have access to the most fundamental design and fabrication tools like hammers, screws, saws and levels to the most cutting edge industry specific equipment and software like 3D printers, banner printers, laser cutters, CAD programs, CNC, mills, lathes, wood and metal working machinery, digital video equipment, 3D dissection (Anatomage), etc. Students throughout FCUSD also have access to the latest materials found in Advanced Manufacturing, Architecture, Engineering, Culinary Arts, Medical Science, Visual and Performing Arts, etc.

VI. Conclusion

The Folsom Cordova Unified School District Board has two options for action with regard to the petition:

1. Deny the petition and adopt this staff report and Exhibits as the written factual findings required to support its denial of the petition.

2. Approve the petition.

For the reasons stated above in the report, which are based on the analysis of the petition and supporting documentation, and information provided by Design Tech High School during the interview, Folsom Cordova Unified School District staff concludes that Design Tech High School presents an unsound educational program for the pupils to be enrolled in the charter school; Design Tech High School is demonstrably unlikely to successfully implement the program as set forth in the petition; Design Tech High School is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate; and the petition does not contain reasonably comprehensive descriptions of all required information set forth in Education Code 47605.

Accordingly, denial of the petition is recommended.