




Santa Clara County Office of Education

Xavier De La Torre, Ed.D.
County Superintendent of Schools

May 15, 2013

TO: Santa Clara County Board of Education

FROM: Toni Cordova
Chief Strategy Officer 

VIA: Xavier De La Torre, Ed.D.
County Superintendent of Schools

SUBJECT: Action on Request for Material Revisions to Rocketship Mateo Sheedy, Rocketship Sí Se Puedé, Rocketship Countywide (Los Sueños), Rocketship Discovery Prep, Rocketship 6 (Academy for Brilliant Minds), Rocketship 7 (Alma Academy), Rocketship 8, and Rocketships 9-28 Charter School Petitions Currently Authorized by the Santa Clara County Board of Education

Background

The Santa Clara County Office of Education and the Santa Clara County Board of Education (County Board) received a letter from Rocketship Education on April 17, 2013 requesting material revisions to all Rocketship Charter Schools currently authorized by the Santa Clara County Board of Education. The material revisions request includes: Board of Directors, Opening Dates, Enrollment, Special Education, Governance, Fingerprinting/Background Check, Lottery Policy, Fiscal Audit, Closure Protocol, Organizational Purpose of Rocketship Education, Change of Address, Expulsion Policy, Inclusion RSED Bylaws and Articles of Incorporation and Removal of Management Services Agreement/Fee.

Consideration for Board Decision

Pursuant to Education Code §47607(a)(1), the County Board must consider whether to approve the material revision. Education Code §47607(a)(2) requires that “material revisions of charters” are to be “governed by the standards and criteria in Section 47605.” Therefore, if the County Board should decide to deny the Rocketship material revision, then the Board must make “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 [required] signatures.
- (4) The petition does not contain the [required] affirmations.
- (5) The petition does not contain reasonable comprehensive descriptions [of the required elements].”

I. Opening Dates (Section I. Introduction/Founding Group, Section XI. Conclusion)
The following charters have been updated to reflect new opening dates:

	New Date	Original Date
RS8:	2014	2012
RS9:	2014	2013
RS10:	2018	2013
RS11:	2015	2013
RS12:	2014	2013
RS13:	2015	2013
RS14:	No change	2014
RS15:	2016	2014
RS16:	2018	2014
RS17:	2017	2014
RS18:	2016	2014
RS19:	No change	2015
RS20:	No change	2015
RS21:	2017	2015
RS22:	2018	2015
RS23:	2016	2015
RS24:	No change	2016
RS25:	2018	2016
RS26:	2018	2016
RS27:	2017	2016
RS28:	2017	2016

Staff acknowledges the change in opening dates. No findings apply to this request.

II. Enrollment (Section II. Educational Program)

Rocketship will increase expected enrollment per school to between 600-700 students, and would like to reserve the right to add a Transitional Kindergarten class should there be demand or if it is mandated by the state.

Staff notes that TK is mandated by the state and recommends that if the Board should approve the material revisions Rocketship provide assurances to the SCCOE that TK will be provided to students. Staff also has concerns regarding the increase in enrollment and the impact on class size, as well as the building capacity at each site to accommodate the increase. Staff will assess the impact of the changes through its annual monitoring process and follow-up should the need arise.

Finding #1 is applicable and would require the Board to make “written factual findings” if the request to make the change is denied.

III. Special Education (Section II. Educational Program)

- **Edits clarify that Rocketship provides parents with a copy of our Child Find policy as a part of the Student Handbook.**

- **Rocketship no longer makes referrals to the county for mental health under AB3632.**

Staff acknowledges the changes. No findings apply to this request.

IV. Governance (Section IV. Governance)

- **Rocketship has decided to consolidate all schools in the Bay Area under the governance of the Rocketship Education Board of Directors. This will allow for Rocketship to create more consistency across schools and expend fewer resources managing governance across the network. Rocketship also seeks to expand the role parents play in the governance of Rocketship schools.**
- **To promote parent participation in the governance process, Rocketship will create an Advisory board made up of parents and community leaders. The Advisory board will be populated so that each school in the Bay Area will be properly represented.**
- **The Executive Committee of the board will contain at least 2 members (as opposed to 3) as required by state law.**

Staff acknowledges the changes and will assess the impact of the change through its annual monitoring process and follow-up should the need arise.

Finding 5(E) is applicable and would require the Board to make “written factual findings” if the request to make the change is denied.

V. Fingerprinting/Background Check (Section V. Human Resources)

- **Principals will report compliance with the Fingerprinting/Background check policies semi-annually (instead of quarterly) to the Director of HR (instead of to the Board President).**

Staff acknowledges the change and will monitor compliance through its annual monitoring process.

Finding 5(F) is applicable and would require the Board to make “written factual findings” if the request to make the change is denied.

VI. Lottery Policy (Section VI. Student Admissions, Attendance and Suspension/Expulsion Policies)

- **Edits clarify the procedures for Rocketship’s lottery during various years depending on funding streams.**

Staff acknowledges the change and will assess the impact of the change through its annual monitoring process and follow-up should the need arise.

Finding 5(N) is applicable and would require the Board to make “written factual findings” if the request to make the change is denied.

VII. Fiscal Audit (Section VII. Reporting and Accountability)

- **The annual independent fiscal audit will be reviewed by the Audit Committee and approved by the Business Committee of the RSED board of directors.**

Staff notes that the current Audit report provides an opinion for Rocketship Education as a whole instead of each individual school site. It would be ideal if the Audit report provided an opinion for each individual school site. Staff acknowledges the change and will note it for the annual monitoring review of documents.

Finding 5(I) is applicable and would require the Board to make “written factual findings” if the request to make the change is denied.

VIII. Closure Protocol (Section VII. Reporting and Accountability)

- **Due to consolidation of all schools under RSED, if one Rocketship School closes, the corporation will no longer dissolve.**

Staff acknowledges the change.

Finding 5(Q) is applicable and would require the Board to make “written factual findings” if the request to make the change is denied.

IX. Organizational Purpose of Rocketship Education (Section VIII. Impact on the County)

- **Rocketship is now organized for the purpose of operation of “public charter schools” as opposed to “a California public charter school”.**

Staff acknowledges the changes. No findings apply to this request.

X. Change of Address (Appendix P)

**Rocketship Education’s home office is now located at:
350 Twin Dolphin Drive, Suite 109
Redwood City, CA 94065**

Staff acknowledges the changes. No findings apply to this request.

XI. Expulsion Policy (Appendix R)

- **Rocketship Education will create a Student Discipline Committee (a committee of the RSED board of directors) which will be responsible for expulsions at all Rocketship schools. The committee will appoint a panel made up of Rocketship Education educators will hear expulsions and make recommendations to the Committee.**
- **The new policy also provides families of expelled students with two opportunities to appeal the decision. The previous policy did not allow for an appeals process.**

Staff acknowledges the changes.

Finding 5(J) is applicable and would require the Board to make “written factual findings” if the request to make the changes is denied.

XII. Inclusion RSED Bylaws and Articles of Incorporation (Appendix W)

- **The most updated versions of the RSED bylaws and articles of incorporation have been included.**

Staff acknowledges the changes. No findings apply to this request.

XIII. Removal of Management Services Agreement/Fee (Appendix AE, Appendix AJ)

- **RSED will now directly manage all schools, so the management services agreement and fee references have been removed.**

Staff acknowledges the changes. No findings apply to this request.

Requested Action

The Administration recommends that the County board approve the material revisions as noted.

Attachments

Santa Clara County Office of Education
Review of Rocketship Charter Revisions – May 2013

Ed Code 47605.6

...The county board of education shall deny a petition for the establishment of a charter school if the board finds one or more of the following:

Ed Code	Proposed Change	Is there basis for denial
(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.	Expand school size up to 600-700 and reserve right to implement TK.	No
(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.		No
(3) The petition does not contain the number of signatures required by subdivision (a).	Not applicable	NA
(4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).	Not applicable	NA
(5) The petition does not contain reasonably comprehensive descriptions of all of the following:		No
(A) (i) A description of the educational program of the school, designed, among other things, to identify those whom the 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.	No changes	NA
(ii) If the proposed charter school will enroll high school pupils, a description of the manner in which the charter school will inform parents regarding the transferability of courses to other public high schools. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered to be transferable to other public high schools.	Not applicable	NA
(iii) If the proposed charter school will enroll high school pupils, information as to the manner in which the charter school will inform parents as to whether each individual course offered by the charter school meets college entrance requirements. Courses approved by the University of California or the California State University as satisfying their prerequisites for admission may be considered as meeting college entrance requirements for	Not applicable	NA

Ed Code	Proposed Change	Is there basis for denial
purposes of this clause.		
(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 school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.	No changes	NA
(C) The method by which pupil progress in meeting those pupil outcomes is to be measured.	No changes	NA
(D) The location of each charter school facility that the petitioner proposes to operate.	No changes	NA
(E) The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.	1) The governance of the school will be changed from a non-profit organization organized for a single school to Rocketship Education (RSED) which will be responsible for the governance of all Rocketship schools, 2) RSED is no longer identified as focusing on "California" charter schools, 3) provisions for a "parent" member of the board of directors are removed, 3) parents are encouraged to participate in the School Site Council, DELAC, and a new "Regional Advisory Board." In addition, parents will be encouraged to create a "Parent/Teacher Council." 4) The minimum size of the Executive Committee of the board is changed from three to two.	No
(F) The qualifications to be met by individuals to be employed by the school.	Principals will report compliance with fingerprinting semi-annually (instead of quarterly) to the Director of HR (instead of Board President).	No
(G) The procedures that the school will follow to ensure the health	No changes	NA

Ed Code	Proposed Change	Is there basis for denial
and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.		
(H) The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.	No changes	NA
(I) The manner in which annual, independent, financial audits shall be conducted, in accordance with regulations established by the State Board of Education, and the manner in which audit exceptions and deficiencies shall be resolved.	Annual independent audit will be reviewed by Audit Committee and approved by Business Committee of RSED board of directors	No
(J) The procedures by which pupils can be suspended or expelled.	Establish a Student Discipline Committee (subcommittee of board) which will appoint a panel of RS educators to hear expulsions & make recommendations. Also adds opportunities for appeal of expulsion decisions.	No
(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.	No change	NA
(L) The procedures to be followed by the charter school and the county board of education to resolve disputes relating to provisions of the charter.	No change	NA
(M) A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).	No change	NA
(N) Admission requirements, of the charter school, if applicable.	Changes lottery preferences by replacing references to PCSG (state) to Title V (federal) funding streams.	No
(O) The public school attendance alternatives for pupils residing	No change	NA

Ed Code	Proposed Change	Is there basis for denial
within the county who choose not to attend the charter school.		
(P) A description of the rights of an employee of the county office of education, upon leaving the employment of the county office of education, to be employed by the charter school, and a description of any rights of return to the county office of education that an employee may have upon leaving the employ of the charter school.	No change	NA
(Q) A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the 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 public records.	With the replacement of the single school RS non-profit organization with RSED non-profit (a consolidation), the corporation will no longer dissolve when the school closes.	No
(6) Any other basis that the board finds justifies the denial of the petition.		
<i>Not Covered under basis for denial</i>	Clarifies that RS provides parents a copy of Child Find policy in Student Handbook. RS no longer makes mental health referrals un AB3632	NA
	New home office location	NA
	Changes start date of many of the schools	NA
	RSED will now directly manage all schools, so the management services agreement and fees references have been removed.	NA
	RSED now organized for purpose of “public charter schools” as opposed to “California public charter school.”	NA
	The updated RSED bylaws and articles of incorporation are included in the petitions.	NA

SCCOE Authorized Rocketship Schools
Approval Dates and Planned/Actual Start Dates

Type	School	Approved	Start Date			District Location
			Planned	Actual*	Revised	
Appeal	Rocketship Mateo Sheedy (1)	10/18/06	2007	8/28/2007	NA	San Jose
Appeal	Rocketship Si Se Puede (2)	9/17/08	2009	8/31/2009	NA	Alum Rock
Countywide 1	Rocketship Los Suenos Academy (3)	6/17/09	2010	8/25/2010	NA	Alum Rock
	Rocketship Discovery Prep (5)	6/17/09	2011	8/29/2011	NA	San Jose
	Rocketship Brilliant Minds (6)	6/17/09	2012	8/15/2012	NA	Alum Rock
	Rocketship 8	6/17/09	2012		2014	San Jose
	Rocketship Alma (7)	6/17/09	2012	8/15/2012	NA	San Jose
Countywide 2	Rocketship 9	12/14/11	2013		2014	Alum Rock
	Rocketship 10	12/14/11	2013		2018	Evergreen
	Rocketship 11	12/14/11	2013		2015	Franklin-McKinley
	Rocketship 12	12/14/11	2013		2014	San Jose
	Rocketship 13	12/14/11	2013		2015	San Jose
	Rocketship 14	12/14/11	2014		no change	Alum Rock
	Rocketship 15	12/14/11	2014		2016	Franklin-McKinley
	Rocketship 16	12/14/11	2014		2018	Oak Grove
	Rocketship 17	12/14/11	2014		2017	San Jose
	Rocketship 18	12/14/11	2014		2016	Santa Clara
	Rocketship 19	12/14/11	2015		no change	Alum Rock
	Rocketship 20	12/14/11	2015		no change	Campbell
	Rocketship 21	12/14/11	2015		2017	Franklin-McKinley
	Rocketship 22	12/14/11	2015		2018	Oak Grove
	Rocketship 23	12/14/11	2015		2016	San Jose
	Rocketship 24	12/14/11	2016		no change	Alum Rock
	Rocketship 25	12/14/11	2016		2018	Mt. Pleasant
	Rocketship 26	12/14/11	2016		2018	Oak Grove
Rocketship 27	12/14/11	2016		2017	San Jose	
Rocketship 28	12/14/11	2016		2017	San Jose	

* CDE - State Numbered Charter Schools - <http://www.cde.ca.gov/ds/si/cs/ap/rptresult.asp?name=Rocketship&Submit=Search>

Countywide 1 - note - Originally presented and approved as one charter with 5 schools; Rocketship Brilliant Minds, Alma, and 8 were re-approved under individual charter petitions 8/22/11
Countywide 2 note - each petition was individual presented and approved (i.e. 20 schools/20 petitions)

SCCOE Authorized Rocketship Schools
Approval Dates and Planned/Actual Start Dates

Revised Rocketship Expansion Schedule 2013-18 (21 schools)

School	Start	District
Rocketship 8	2014	San Jose
Rocketship 9	2014	Alum Rock
Rocketship 12	2014	San Jose
Rocketship 14	2014	Alum Rock
Rocketship 11	2015	Franklin-McKinley
Rocketship 13	2015	San Jose
Rocketship 19	2015	Alum Rock
Rocketship 20	2015	Campbell
Rocketship 15	2016	Franklin-McKinley
Rocketship 18	2016	Santa Clara
Rocketship 23	2016	San Jose
Rocketship 17	2017	San Jose
Rocketship 21	2017	Franklin-McKinley
Rocketship 27	2017	San Jose
Rocketship 28	2017	San Jose
Rocketship 10	2018	Evergreen
Rocketship 16	2018	Oak Grove
Rocketship 22	2018	Oak Grove
Rocketship 24	2016	Alum Rock
Rocketship 25	2018	Mt. Pleasant
Rocketship 26	2018	Oak Grove