February 4, 2015

TO: Santa Clara County Board of Education

FROM: Toni Cordova  
Chief Strategy Officer

VIA: Jon R. Gundry  
County Superintendent of Schools

SUBJECT: Action on Request for a Material Revision to the University Preparatory Academy Charter Petition

Background

On January 12, 2015, the Santa Clara County Board of Education received a letter from University Preparatory Academy Charter School (UPA) requesting a material revision to the charter currently authorized by the Santa Clara County Board of Education. A public hearing on the requested revision was held on January 21, 2015.

The revision would give priority status to low Socio-Economic students in the schools lottery process by adding the following underlined language to the description of lottery preferences on page 64 of the petition:

“Existing students of UPA shall have an automatic right to continued enrollment in the school should they wish to do so and shall not need to be included in the public random drawing. UPA does grant preference in the public random drawing as to siblings of students already attending UPA, children of UPA educators, administrators, and staff, students who reside in the elementary school attendance area for Canoas Elementary School (in accordance with Education Code Section 47605.3 and 47614.5), students who are eligible to receive Free or Reduced Price Meals as determined by federal forms documentation, and students who reside in the County. See section 4.

The complete revised petition is available for review at http://www.sccoe.org/supoffice/innovative-schools/Pending/University%20Preparatory%20Academy%20Revision%20-%20(Public%20Hearing%2001-21-15).pdf
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 University Preparatory Academy Charter School material revision, the Board must make “written factual findings, specific to the particular petition, setting for specific facts to support one or more of the following findings:

(1) “The charter school presents an unsound education 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 [require] affirmations.
(5) The petition does not contain reasonably comprehensive descriptions [of the required elements.]”

Staff finds no basis for denial of this request.

Requested Action

The Administration recommends the County Board approve the material revision.