

Department of Charter School Oversight

Staff Report for the Invictus Academy of Richmond Charter Renewal Petition

February 3rd, 2026

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BACKGROUND

Charter History and Current Information

Invictus Academy of Richmond (“IAR”) is a start-up, direct-funded charter school that began serving students in 2018. Located in El Cerrito, CA within the boundaries of West Contra Costa Unified School District, IAR was originally authorized by the Contra Costa County Board of Education (“CCCBOE”) on appeal after being denied by the District. IAR has been in continuous operation since opening. The IAR charter term was initially for a five-year period but was extended for three additional years due to post-pandemic legislative action (AB 130 and SB 114) and will conclude on June 30th, 2026.

IAR serves approximately 400 students from grade 7 to grade 12 and employs a team of approximately 45 adults. The charter is governed by a non-profit Board comprised of seven trustees with diverse backgrounds. IAR operates as a tenant in a WCCUSD facility via a Proposition 39 application and has executed a multiyear facilities use agreement with the District. The IAR mission is to “prepare 100% of students in grades 7-12 to thrive in the colleges of their choice, solve relevant problems, and communicate with confidence.”

The IAR Petitioners submitted a complete charter renewal petition to the Contra Costa County Office of Education (“CCCOE”) on December 4th, 2025. Pursuant to the petition review timeline requirements stipulated in Education Code, the following schedule has been implemented by Staff:

- IAR Charter Renewal Petition Submitted – December 4, 2025
- CCCBOE Public Hearing – January 21, 2026
- CCCOE Staff Report Publication – February 3, 2026
- CCCBOE Decision Meeting – February 18, 2026

Legal Standards

The CCCOE implements a rigorous and objective vetting process reflective of the California Education Code when conducting the review of a charter petition for renewal. The CCCOE is also guided by criteria developed by the California State Board of Education (“SBE”) and codified in Title 5 of the California Code of Regulations (“CCR”). The CCCOE considers whether granting a petition is consistent with sound educational practice, and whether evidence exists to support any of the acceptable grounds upon which a charter petition may be denied under Education Code.

Education Code Section 47601 (all references herein are to the California Education Code, unless otherwise indicated) states that it is the intent of the Charter Schools Act to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure in order to:

- 1) Improve pupil learning;
- 2) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving;
- 3) Encourage the use of different and innovative teaching methods;

- 4) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the schoolsite;
- 5) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system;
- 6) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems; and
- 7) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

Therefore, pursuant to Education Code 47605(c), a petition for the renewal of a charter school shall not be denied unless written factual findings are made, specific to the particular petition, setting forth 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 Section 47605(a) [Not applicable to renewals]
- 4) The petition does not contain an affirmation of each of the conditions described in subdivision Section 47605(e)
- 5) The petition does not contain reasonably comprehensive descriptions of all fifteen (15) elements specified in Section 47605(c)(5)
- 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
- 7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate [Not applicable to renewals]
- 8) The school district is not positioned to absorb the fiscal impact of the proposed charter school [Not applicable to renewals]

CHARTER ANALYSIS

Charter Term Performance

The Petition Provides Sufficient Evidence of Schoolwide and Subgroup Performance to Satisfy the Renewal Criteria in Education Code Section 47607.2.

California Education Code Section 47607.2 provides the performance criteria applicable to renewal petitions. The criteria are divided into performance categories established by the California Department of Education (“CDE”). As interpreted by the CDE, the Charter Schools Act requires categorizing charter school performance into one of the following categories:

- 1) High: A charter school in this category is eligible for a five, six, or seven-year renewal term.
- 2) Middle: A charter school in this category may be renewed for a five-year term.
- 3) Low: A charter school in this category may be renewed for a two-year term only if it meets the conditions under Education Code Section 47607.2(a)(4).

According to the data provided by CDE and the Petition, IAR currently qualifies for what is typically described as the “middle performing” category. Pursuant to Education Code Section 47607.2, renewal petition review for such schools requires consideration of “the schoolwide performance and performance of all subgroups[...] on the state indicators included in the evaluation rubrics” in addition to “the performance of the charter school on the local indicators included in the evaluation rubrics.” The chartering authority is also required to “provide greater weight to performance on measurements of academic performance.” “Measurements of academic performance” are defined as “indicators included in the evaluation rubrics adopted pursuant to Education Code Section 52064.5 that are based on statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, the English Language Proficiency Assessments for California, or any successor system, and the college and career readiness indicator.”

In addition to the grounds for denial described in Education Code Section 47605, a renewal petition may be denied only with written factual findings with specific facts detailing that:

- 1) The school failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school;
- 2) Closure is in the best interest of pupils; and
- 3) That the decision provided greater weight to performance on measurements of academic performance.

The table below provides a summary of IAR 2023, 2024, and 2025 California School Dashboard Performance on the academic indicators compared to that of the State of California.

Data provided includes both schoolwide performance and all numerically significant student groups. Local educational agencies and schools traditionally receive one of five color-coded performance levels on the state indicators which represents a measurement of both status and change. From highest to lowest, the five performance levels are: Blue, Green, Yellow, Orange, and Red. Performance levels are reported for all students and any student group that has at least 30 students in both the current and

prior year (i.e. “numerically significant”). An exception is for foster and homeless youth as well as Long-Term English Learners at the local educational agency level where performance levels are reported if there are at least 15 students in those student groups. Data is reported without a performance level if there are between 11 and 29 students and data is omitted entirely if there are less than 11 students. The Science Indicator will have status, change, and be reported with colors on the 2025 Dashboard for the first time. In addition, the College/Career Indicator was not applicable for IAR in 2023 because the charter’s first graduating class was in 2024. Finally, the student group of Long-Term English Learners (LTEL) was not established prior to the 2024 Dashboard. Any cells below that show “---” are meant to indicate that data is not available due to one or more of the above factors.

	2023 ELA	2024 ELA	2025 ELA
IAR	-15	-23.7	-18.3
State	-13.6	-13.2	-8.1
IAR (HI)	-36.1	-31	-25.8
State (HI)	-40.2	-39.3	-33.7
IAR (SED)	-24.9	-28	-21.3
State (SED)	-42.6	-40.9	-35.3
IAR (SWD)	-106.3	-101.5	-113.6
State (SWD)	-96.3	-95.6	-89.4
IAR (EL)	-78.9	-72.1	-56.9
State (EL)	-67.7	-67.6	-59.9
IAR (LTEL)	---	-87.7	-99.7
State (LTEL)	---	-109.6	-104.5
	2023 Math	2024 Math	2025 Math
IAR	-78.6	-107.6	-99.2
State	-49.1	-47.6	-42.4
IAR (HI)	-89.7	-114.2	-114.1
State (HI)	-80.8	-79.2	-73.6
IAR (SED)	-85.8	-114.2	-105.8
State (SED)	-80.8	-78.2	-72.9
IAR (SWD)	-169.2	-192.2	-181.5
State (SWD)	-127.3	-124.3	-120.7
IAR (EL)	-132.9	-151	-145
State (EL)	-93.4	-93.4	-86.1
IAR (LTEL)	---	-172.5	-174.5
State (LTEL)	---	-163.5	-158.9
	2023 Science	2024 Science	2025 Science
IAR	---	43.1 sp	47.9 sp
State	---	51.1 sp	52.6 sp
IAR (HI)	---	42.1 sp	46.2 sp
State (HI)	---	45.4 sp	47.1 sp
IAR (SED)	---	42.6 sp	46.9 sp
State (SED)	---	45.6 sp	47.1 sp
IAR (SWD)	---	30.4 sp	36.2 sp
State (SWD)	---	36.8 sp	38.3 sp
IAR (EL)	---	35.5 sp	39.6 sp
State (EL)	---	39 sp	41.1 sp
IAR (LTEL)	---	31.5 sp	31.6 sp
State (LTEL)	---	32.8 sp	34 sp

	2023 ELPI	2024 ELPI	2025 ELPI
IAR	55.7%	34.6%	43.3%
State	48.7%	45.7%	46.4%
IAR (LTEL)	---	31.1%	42.9%
State (LTEL)	---	45.8%	49.1%
	2023 CCI	2024 CCI	2025 CCI
IAR	---	49.2%	64.2%
State	---	45.3%	51.7%
IAR (HI)	---	45.5%	61.2%
State (HI)	---	37.4%	45.1%
IAR (SED)	---	46.2%	65.6%
State (SED)	---	37.4%	44.8%
IAR (SWD)	---	---	16.7%
State (SWD)	---	13.5%	18.7%
IAR (EL)	---	22.7%	51.7%
State (EL)	---	17.2%	24.3%
IAR (LTEL)	---	22.2%	47.6%
State (LTEL)	---	16.5%	24.9%

(HI) Hispanic, (SED) Socioeconomically Disadvantaged, (SWD) Students with Disabilities, (EL) English Learners, (LTEL) Long-Term English Learners

Student performance in ELA and math is measured as a distance from standard (“DFS”) number; a negative number being below standard and a positive being above. The overall State performance was better than the schoolwide IAR performance in both ELA and math in all three years. In 2025 IAR showed significant improvement in both areas and while overall DFS was still well below the State average, the improvements earned IAR a yellow performance level which matched that of the State. The majority of IAR numerically significant student groups actually performed higher in ELA than the State average in 2025, the exception being students with disabilities. In addition, IAR student groups showed at least some improvement between 2024 and 2025, except for Long-Term English Learners who had a decrease in performance. Overall, ELA scores appear to be trending in an improved trajectory over the course of three years of data. Whereas in math, IAR student groups underperform the State average in all comparisons. The Charter again showed meaningful improvement between the 2024 and 2025 dashboards, with almost all numerically significant student groups showing some growth and often earning higher performance levels. The exception for this positive trend was the LTEL student group who showed a nominal decrease and like in ELA, earned a red performance level. Overall performance from IAR on math shows a negative trajectory over the three years of data.

Student Performance in science is measured in “Science Points” which translate the science assessment scales to a range from zero, as the lowest possible score, to 100 points as the highest possible score. The 2025 Dashboard marks the first year that the science indicator is included as an academic indicator for purposes of charter performance assessment. IAR performance lags behind the State both schoolwide and for student groups in both 2024 and 2025. However, IAR’s strong growth across the board between these two years earned them higher performance levels than the State in several instances: green schoolwide and for Hispanic and socioeconomically disadvantaged student groups.

The English Learner Progress Indicator (“ELPI”) shows the annual percentage of English Learner students making progress towards English language proficiency or maintaining the highest level. The IAR ELPI data showed strong levels in 2023, significantly outperforming the State average. However, this IAR number dropped well below in 2024, earning them a red performance level. IAR has bounced back in

2025, slightly underperforming the State and earning them a matching performance level of yellow. While there is improvement between 2024 and 2025, the LTEL student group performance is of concern in this indicator as with the previous.

Finally, the College/Career Indicator (“CCI”) reports the annual percentage of high school graduates who have earned the “Prepared” status based on a distinct set of factors specific to the High School program as approved by the State Board of Education (“SBE”). IAR has strong performance on this indicator, outperforming the State by a wide margin, both schoolwide and for all numerically significant student groups in both 2024 and 2025. The performance colors earned by IAR schoolwide and for student groups in the indicator are yellow for 2025 despite what appears to be significant growth in the data set. This is due to a change in CCI calculation criteria established by the SBE between the 2024 and 2025 dashboard publications. Since performance levels are earned based on both status and change, the CDE recalculated 2024 data based on the new criteria to properly account for change in 2025. As such, while IAR’s performance here is still quite high, the charter actually saw decreases between years based on this new calculation, hence the yellow performance level (as compared to the higher performance level of green that the State earned based on their positive change).

Based on the information provided in the Petition and confirmed using the CDE’s Dashboard, Staff finds that IAR has provided sufficient evidence to satisfy the renewal criteria for a middle performing charter school and as such is eligible for a 5-year term.

The Charter Does Not Appear To Have Any Substantial and Concerning Fiscal, Governance, or Access Factors

CCCOE has no record of verified complaints from the IAR community with regard to discriminatory or exclusionary admissions or enrollment practices. In addition, CCCOE has not issued IAR any Notices of Concern or Notices of Violation related to fiscal, governance, or access issues during the current charter term. Finally, IAR has historically provided clean audit reports since its first year of operation. The 2024-2025 IAR audit did have a singular finding (the charter inaccurately reported one student as eligible for free and reduced price meals), however the fiscal impact was nominal and the clerical error is easily remedied (the charter has provided assurances that it will update its collection process to include additional data quality and validation checks). Therefore, Staff finds there is no evidence to support a finding that the charter school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors, or is not serving all pupils who wish to attend pursuant to Education Code Section 47607(e).

Charter Petition Review

The Petition Does Not Present An Unsound Educational Program For The Pupils To Be Enrolled In The Charter School

Under Education Code Section 47605 and 5 CCR § 11967.5.1(b), a charter petition shall be considered unsound if it is either of the following:

- 1) A program that involves activities the county determines will present the likelihood of physical, educational, or psychological harm to the affected students.

- 2) A program the county determines will not likely be of educational benefit to the pupils who attend.

The IAR petition describes their implemented educational program in sufficient detail. CCCOE staff has assessed the curricular choices and instructional strategies of the charter and finds them to be based in sound educational practice with evidence to suggest that students are receiving a meaningful benefit. Staff has annually conducted site visits to the IAR campus during which they met with leadership, observed instruction in classrooms, and inspected the facility. IAR is now in its eighth year of operation, has matriculated eight classes of incoming seventh graders, and graduated two classes of seniors. There is no evidence that suggests IAR's program would present a likelihood of physical, educational, or psychological harm to students.

Based on the information provided, staff finds that the Petition is consistent with sound educational practice.

The Petitioners Are Not Demonstrably Unlikely To Successfully Implement Their Program

Per Education Code Section 47605 and 5 CCR § 11967.5.1(c), SBE takes the following factors into consideration in determining whether Petitioners are "demonstrably unlikely to successfully implement the program set forth in the petition:"

- 1) If the petitioners have a history of involvement in charter schools or other educational agencies, the history is one that is regarded as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control.
- 2) The petitioners are unfamiliar with the content of the petition or the requirements of law that would apply to the proposed charter school.
- 3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school.
- 4) The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.

As noted above, the Petitioners are not demonstrably unlikely to successfully implement their program because of their successful operation of the school for the past eight years. The Petition is comprehensive in demonstrating IAR's level of stability, which includes a holistic budget, financial plan, including reporting schedule, a detailed Local Control and Accountability Plan, a WASC action plan, and other necessary reports including attendance records, accounting systems, and the state School Accountability Report Card.

Staff finds that no evidence exists to show that Petitioners are unlikely to successfully implement their program. Therefore, there is insufficient evidence to deny the petition based upon a finding that the Petitioners are demonstrably unlikely to successfully implement their program.

The Charter Petition Includes All Required Affirmations

For purposes of Education Code Section 47605 a charter petition may be denied if it does not contain an affirmation of each of the conditions described in Section 47605(e). The SBE regulations at 5 CCR § 11967.5.1(e) provide that each affirmation should be clear and unequivocal.

IAR has included all required affirmations in its “Affirmations and Declaration” section beginning on Page 6.

Admission preferences and associated affirmations are provided in Element 8 of the petition and conform to legal requirements. The proposed IAR admission preferences are as follows:

- 1) Siblings of students admitted to or enrolled in Invictus
- 2) Children of regular, full-time Invictus employees, not to exceed 10% of the total enrollment
- 3) Children residing within the West Contra Costa Unified School District
- 4) All other students who reside within the state of California

Education Code Section 47605(e)(2)(b)(i) stipulates that the authorizing Board must approve all charter enrollment preferences at a public meeting and that the preferences cannot result in limiting enrollment access for pupils with disabilities academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged. Staff sees no evidence to suggest that the IAR enrollment preferences would result in any such limitations. Consideration of each of the enumerated preferences shall be deemed a part of the public hearing for the IAR renewal and incorporated into the final decision on the Petition.

The Charter Petition Includes Reasonably Comprehensive Descriptions Of The 15 Elements Identified In Education Code Section 47605(c)(5)

Under Education Code Section 47605(c)(5), the Board may deny a petition if it fails to contain reasonably comprehensive descriptions of any of the fifteen different elements specified in the statute as listed below:

- A. Description of Vision, Mission and Educational Program
- B. Measurable Student Outcomes
- C. Student Progress Measurement
- D. Governance Structure
- E. Employee Qualifications
- F. Health and Safety Procedures
- G. Racial and Ethnic Balance
- H. Admissions Policies and Procedures, If Applicable
- I. Annual Independent Financial Audits
- J. Suspension and Expulsion Procedures
- K. Staff Retirement System
- L. Public School Attendance Alternatives
- M. Post-employment Rights of Employees
- N. Dispute Resolution Procedures
- O. Closure Procedures

Education Code further elaborates on the specific information that must be included in each of the required elements as well as additionally required supplemental criteria to be deemed complete and

compliant. CCCOE Staff uses the FCMAT (Fiscal Crisis and Management Assistance Team) Charter Petition Evaluation Matrix to facilitate the review and analysis of submitted petitions. In order for petition content to meet the evaluation standard, the document must demonstrate solid preparation and grasp of key issues that indicate a reasonably comprehensive description, while also providing many characteristics of concise, specific and accurate information.

Upon receipt of the IAR charter petition, the CCCOE convened a Petition Review Team and commenced with the review process to determine if the petitioners met the requirements set forth in Education Code and any other applicable law. The CCCOE Petition Review Team consists of experts from various departments to ensure the review is informed and objective.

As indicated in the completed and attached FCMAT Charter Petition Evaluation Matrix (see Appendix A), Staff has concluded that the Petition contains all legally required content with appropriate detail, context, and explanation and therefore finds that there is insufficient evidence to deny the Petition based on a finding that the Petition is not reasonably comprehensive. Any errata identified were of inconsequential scope, clerical in nature, or clarified through questions to the petitioners (see Appendix B and C).

The Charter Petition Declares That IAR Will Be The Exclusive Public School Employer

Pursuant to Education Code Section 47605(c)(6), a petition may be denied if it fails to contain a declaration of whether or not the charter school will be the exclusive public school employer for the purposes of the Education Employment Relations Act.

Under its Affirmations and Declaration section, on Page 6, IAR affirms that it will be deemed the exclusive public school employer of the employees of the Charter School for the purposes of the Education Employment Relations Act.

Staff finds that there is insufficient evidence to deny the Petition based on a finding that the Petition does not declare whether or not the charter school will be the exclusive public school employer.

STAFF RECOMMENDATIONS

Findings of Fact

The grounds for petition denial as enumerated in the Charter School’s Act are exclusive (*United Teachers of Los Angeles v. Los Angeles Unified School District* (2012) 54 Cal. 4th 504, 524.). Therefore, unless sufficient evidence exists to support one of these findings, a charter petition should be approved.

Based on the information provided by IAR, Staff concludes there is insufficient evidence to support a finding for denial based on any of the enumerated grounds in Education Code.

Additional Comments

Other California School Dashboard Indicators

While Education Code guides the chartering authority to focus on measurements of academic performance for purposes of renewal, the additional indicators on the California School Dashboard should also be reviewed for a wholistic assessment. For IAR this would be the Chronic Absenteeism Rate, Graduation Rate, and Suspension Rate.

	2023 Chronic Abs.	2024 Chronic Abs.	2025 Chronic Abs.
IAR	53%	47.7%	33.1%
State	24.3%	18.6%	17.1%
	2023 Graduation	2024 Graduation	2025 Graduation
IAR	---	93.5%	86.6%
State	---	86.7%	87.8%
	2023 Suspension	2024 Suspension	2025 Suspension
IAR	9.2%	10.2%	8.3%
State	3.5%	3.2%	2.9%

IAR has consistently had very high annual rates of chronic absenteeism and suspension post-pandemic, earning them the lowest performance level of red in 2023. 2024 saw different trends between the two Indicators but both data points were still at concerning levels. However, in similar fashion to the academic performance jump from 2024 to 2025 (and perhaps not unrelated), IAR saw major improvements in schoolwide chronic absenteeism and suspension rates earning them yellow performance levels. As both numbers still lag well behind the State average, it will be important for IAR to continue to realize improvement on these engagement and climate data points.

IAR’s graduation rate does not yet have enough years of data to analyze trends in a meaningful way. While their first graduating class yielded very strong results, far surpassing the State, they then saw a substantial decline in 2025; the only schoolwide Indicator to not grow on this Dashboard.

IAR openly acknowledges areas in need of growth starting on page 45 of their renewal charter petition as well as in their responses to Staff questions (see Appendix B and C); spending time on each respective Dashboard Indicator and what systems and initiatives they plan to continue or implement in the future. Much of this work came out of participation in Differentiated Assistance with Santa Clara County Office of Education (IAR was deemed eligible in 2024 and 2025 for this State level intervention due to low performance on the Dashboard) and an improvement plan that was submitted by IAR after they received a Notice of Concern from CCCOE due to their “low” designation for the 2024 charter performance categories. Staff finds these plans to be sound and achievable and also applauds the sense of urgency with which the IAR team appears to recommit to the work. The overall improvement from the 2024 IAR Dashboard results to 2025 was a critical achievement coming into renewal, but there is still much room for improvement, and the positive trend will be necessary for IAR to accelerate in order to eventually reach desired student outcomes.

Finally, all Dashboard Local Indicators were reported as “standard met” for nearly all years of the current charter term. In 2019 the IAR Local Indicators were all reported as “standard not met,” likely as a result of not completing the self-reporting process by the annual deadline.

Changes to IAR Petition

The IAR Petition contains appropriate and necessary updates as required by law and to reflect the current IAR program. Staff does not believe any of the noted changes to be material to the Petition.

Staff does note that the IAR petitioners chose to relegate the charter’s specific graduation requirements to IAR Board policy (attached as an appendix to the submitted petition) as opposed to including this detail as part of Element A. While Education Code does not explicitly require the inclusion, it is relatively commonplace and can be argued to be an integral component of the description of a charter’s educational program and what it means to be an “educated person” in the 21st century (see Education Code Section 47605(c)(5)(A)(i)). The charter’s proposal to give the IAR Board unilateral control of future amendments to this policy creates the possibility of the charter making, what could be deemed, material revisions to its educational program without requisite authorizer approval. In order to address this concern, Staff suggests that, in the event of Board approval of the IAR petition, the subsequent MOU include the following:

- 1) An enumerated list of the proposed graduation requirements to be implemented at the start of the new charter term
- 2) Confirmation of compliance with both the State of California requirements (per Education Code 51225.3) and the UC/CSU “a-g” requirements (per the stated goals of the IAR charter)
- 3) Agreement that any future changes to the IAR graduation requirements must be authorized through a formal application for material revision

Recommended Board Action

Staff finds that the Invictus Academy of Richmond Charter Renewal Petition meets all applicable legal requirements and thereby recommends that the Board approve the Petition. If the Board chooses to approve the Petition, it should do so with the condition that IAR enters into a Memorandum of

Understanding with the Contra Costa County Board of Education to be executed before the commencement of the new charter term.

If the Board denies the Petition, then the Board must also make written findings supporting its decision which are specific to the Petition, and which are grounded in one of the permissible reasons for denial discussed above in this Staff Report.

APPENDIX A

Charter Petition Evaluation Matrix

FCMAT



FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

Foreword

This document was originally created in partnership with and with the support of the former Charter Accountability and Resource Support Network (CARSNet) advisory board. The goal of this project was to create a unique, legally compliant evaluation tool that can be used by school districts and county offices uniformly across the state of California.

This update includes revised information based on new legislation. FCMAT acknowledges the many people who have taken part in creating this tool. Their time, dedication and shared expertise have been invaluable. It is our hope that as you use this tool you will continue to find it a helpful guide in your charter authorizing practice.

FCMAT

FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

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I. Introduction: Reviewing Charter School Petitions

Guiding Principles

The Charter School Petition Evaluation Matrix was developed to align with the Education Code (EC), state regulations and other pertinent laws required for reviewing charter school petitions. The purpose of the document is to help guide the reviewer through the charter school petition review process, helping to identify strengths and weaknesses of a charter school petition. Elements of a countywide charter (EC 47605.6) petition are organized in a different manner, but the same criteria apply; therefore, you can use this same document to review a countywide charter school petition.

State Guidance

The California Code of Regulations, Title 5, Section 11967.5 provides the following guidance for reviewing a charter petition:

The criteria are intended to require no charter provisions in excess of those that the State Board of Education believes necessary to determine whether each element specified in Education Code section 47605(c) has been satisfactorily addressed. Where the criteria call for judgments to be made, the judgments will be made in such a manner as to be reasonable, rational, and fair to the petitioners and other parties potentially affected by the chartering of the school by the State Board of Education.

The California Code of Regulations (CCR), Title 5, Section 11967.5.1(g) states that a “reasonably comprehensive” description shall include, but not be limited to, information that:

- (1) Is substantive and is not, for example, a listing of topics with little elaboration.
- (2) For elements that have multiple aspects, addresses essentially all aspects of the elements, not just selected aspects.
- (3) Is specific to the charter petition being proposed, not to charter schools or charter petitions generally.
- (4) Describes, as applicable among the different elements, how the charter school will:
 - (A) Improve pupil learning.
 - (B) Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving.
 - (C) Provide parents, guardians, and pupils with expanded educational opportunities.
 - (D) Hold itself accountable for measurable, performance-based pupil outcomes.
 - (E) Provide vigorous competition with other public-school options available to parents, guardians, and students.

Instructions To Charter School Petition Review Team / Evaluation Rubric

- 1. Identify your team**, if applicable. Determine who will be responsible for reviewing which sections of the charter petition document. Record team members' names on the Petition Review Team page to help track responsibilities.
- 2. Rate the charter school petition** in the various petition elements and supplemental sections of the evaluation matrix.
 - Mark either "met" or "not met" in the "Evaluation Standard Met" column for each specific criteria. Criteria in **RED** indicate descriptions that are required by law to be included in the charter petition. Criteria in **BLACK** are descriptions that are strongly suggested to be included to ensure that the charter petition is reasonably comprehensive.
 - Use the state guidance and rating definitions below to guide your assessment.
 - At the end of each section, elaborate in the comment section on the areas you rated as "not met."
- 3. Analyze the results.** At the end of this process, you will be able to determine whether the petition is reasonably comprehensive or if there are any identified findings of fact. This tool should be used as part of your final analysis and report to the district governing board.

Evaluation Standard Met	The charter petition demonstrates solid preparation and grasp of key issues that indicate a reasonably comprehensive description. Overall, the charter petition contains many characteristics of concise, specific and accurate information. The standard may be met if the charter petition requires additional elaboration that is not substantive in nature.
Evaluation Standard Not Met	The charter petition addresses some of the criteria but lacks meaningful detail. The description lacks important or key additional information needed to be reasonably comprehensive. It demonstrates lack of preparation, is unclear, uses generic information, or otherwise raises substantial concerns about the petitioner's understanding of the criteria. Additional substantive information is required to determine the charter petitioner's ability to implement or meet the requirement in practice.

The Petition Review Team

Identify your team and which members will be responsible for reviewing which sections of the charter school petition.

Area of Review (EC 47605(c))	Department Responsible	Name of Reviewer
A. Education Program	Educational Services	Kristy Warren, Lilia Tsui
B. Measurable Student Outcomes	Educational Services	Mimi Quan
C. Student Progress Measurement	Educational Services	Mimi Quan
D. Governance Structure	Educational Services	Neil McChesney
E. Employee Qualifications	Human Resources	Kandi Hayes, Mere Parkhurst

F. Health and Safety	General Services	Bruce Burns
G. Racial, Ethnic, Special Education and English Language Learner Balance	Educational Services	Neil McChesney
H. Admissions Policies and Procedures	Educational Services	Neil McChesney
I. Annual Financial Audits	Business Services	Andrea Arnold, Heidi Andrews
J. Suspension and Expulsion	Educational Services	Neil McChesney
K. Staff Retirement System	Human Resources	Kandi Hayes
L. Attendance Alternatives	Educational Services	Neil McChesney
M. Post-Employment Rights of Employees	Human Resources	Kandi Hayes
N. Dispute Resolution Process	Educational Services	Neil McChesney
O. Closure Procedures	Educational Services	Neil McChesney
Supplemental Criteria		
Areas of Review EC 47605(h), 47641(a), 47646	Department Responsible	Name of Reviewer
Financial/Administrative Plan	Business Services	Andrea Arnold, Heidi Andrews
Charter Management Organization (i.e., entities managing charter schools)	Educational Services	Neil McChesney
Facilities	General Services	Bruce Burns
Impact Statement	Educational Services	Neil McChesney
Community Impact	Educational Services	Neil McChesney
Special Education	Student Programs	Tom Scruggs
Required Declarations and Affirmations	Educational Services	Neil McChesney
Independent Study, if applicable	Educational Services	Neil McChesney
Alternative Charter Schools, if applicable	Educational Services	Neil McChesney

(apply district or county name or logo here)

II. Petitioner Certification

(must be completed and signed by petitioner)

Instructions to Lead Petitioner

1. Complete and review the Cover/Intake and Petitioner Certification forms
2. Insert the petition page numbers in the far right column (titled "Located on Page(s)") of the 15 Element and Supplemental Criteria sections of the evaluation matrix.
3. Complete, sign and submit this Petitioner Certification page and forms with the charter petition.

Education Code Section 47605(a)(1): A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:

	Yes	No	
(A) The petition is signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation.	<input checked="" type="radio"/>	<input type="radio"/>	N/A
(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation.	<input type="radio"/>	<input checked="" type="radio"/>	N/A

Education Code Section 47605(b): A petition is deemed received by the governing board of the school district for purposes of commencing the timelines described in this subdivision on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete.

Certified Signature of Petitioner

I hereby certify under the laws of the state of California and the United States that the foregoing petition and cover page(s) are deemed complete, true and correct. I understand and acknowledge that failure to provide accurate or complete information may subject the charter to revocation if it is later discovered and is material to compliance with the Charter Schools Act.

Shawn Benjamin
name of lead petitioner

[Signature]
signature of lead petitioner

12/4/25
date

Acceptance by District/COE

Neil McChesney
name of district personnel receiving petition

[Signature]
signature of district personnel receiving petition

12/4/25
date received

Petition Appeal Consideration and Acceptance {EC 47605(k)(1)(A)}*(COE Office Use Only)*

	Yes	No	N/A
Petitioner submitted the charter school petition appeal to the county board of education within 30 days of denial by the governing board of the school district as required by law.	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
The charter school petition appeal includes new information or changes to the original petition that was submitted to the district.	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<i>If yes, the petition will be remanded to the district immediately.</i>			
This is a resubmission of the charter school's petition appeal. The school district governing board denied the petition after reconsideration of the petition's new or different material terms to its charter.	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

(apply district or county name or logo here)

III. Intake Information / Cover Sheet

Petitioner Intake Information		Petition Review and Presentation Timelines (Authorizer Use Only)	
Name of Proposed Charter School	<input type="radio"/> Initial Petition <input type="radio"/> Petition Appeal <input checked="" type="radio"/> Renewal		
Invictus Academy of Richmond	District that Denied Petition (if on appeal): N/A		
Name and Position of Lead Petitioner	Petition Submitted Date	Public Hearing	Decision by Board
Shawn Benjamin, Executive Director	12/4/25	(No later than 60 days after receiving the petition.)	(90 days from submission but may be extended 30 days if mutually agreed.)
Phone and Email		Date Due	Date Due
510-994-0888 sbenjamin@invictusofrichmond.org		2/2/26	3/4/26
Address	Was an Extension Requested?	Date Held	Date of Board Decision
7150 Portola Drive El Cerrito, CA 94530	<input type="radio"/> Yes	1/21/26	2/18/26
Proposed Grade Span for First Year	<input checked="" type="radio"/> No		
7-12			

Facility Information				
Have facilities been secured?	<input checked="" type="radio"/> Yes		<input type="radio"/> No	
	Street	City	State	Zip Code
Proposed Facility Address	7150 Portola Drive	El Cerrito	CA	94530
Facilities being considered (include any Proposition 39 Facility Requests being proposed)				

Related Business Organizations and Other Corporate Affiliations

List all corporations or business entities related to the corporation proposed to operate the charter school and/or lead petitioner(s).

Explain whether, and to what extent, those other entities will participate in operating the charter school (use additional pages if necessary).

Related or Affiliated Entity Name and Contact Information	Services to be Provided, if any
N/A	N/A

Affiliated Schools and Prior Charter School Experience

Any past or current operational charter schools affiliated with proposed charter school?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Name of affiliated school(s)		
Mailing address		
Name of authorizing agency and contact name		
Authorizing agency contact phone and email		

Special Education - SELPA Information

Has charter school applied for or been approved as a local educational agency (LEA) member of a special education local plan area (SELPA)?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If yes, provide name of SELPA and contact name.	El Dorado Charter SELPA Ginese Quan, Executive Director	
If no, explain intent for special education compliance as a charter school in the charter petition (see Supplemental Criteria section of this evaluation matrix).		

IV. Required Petition Elements

The 15 Charter Elements

Criteria in **RED** indicate descriptions that are required under law to be included in the charter petition.

Criteria in **BLACK** are descriptions strongly suggested to be included to ensure that the charter petition is reasonably comprehensive.

A. Description of Vision, Mission and Educational Program			
Evaluation Criteria: EC 47605(c)(5)(A)	Evaluation Standard Met		Located on Page(s)
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	YES	NO	
1. Targeted Student Populations and Community Need			
a. Students the charter school will try to educate and a demonstration of need for proposed educational program.	<input checked="" type="radio"/>	<input type="radio"/>	52
b. Grade levels and number of students the charter school plans to serve.	<input checked="" type="radio"/>	<input type="radio"/>	52
c. A clear, concise school mission and vision statement that aligns with the target population.	<input checked="" type="radio"/>	<input type="radio"/>	51
d. The needs and challenges of the student groups to be served.	<input checked="" type="radio"/>	<input type="radio"/>	52
2. Attendance (5 CCR 11960)			
a. School year/academic calendar, number of school days and instructional minutes (EC 47612.5(a)).	<input checked="" type="radio"/>	<input type="radio"/>	handbook
b. Attendance expectations and requirements, including enrollment projections.	<input checked="" type="radio"/>	<input type="radio"/>	52
c. Master/daily schedule and proposed bell schedule.	<input checked="" type="radio"/>	<input type="radio"/>	link
3. What It Means to Be an Educated Person in the 21st Century (5 CCR 11967.5.1 (f)(B))			
a. Goals that are consistent with enabling all pupils to become or remain self-motivated, competent, lifelong learners.	<input checked="" type="radio"/>	<input type="radio"/>	52
b. List of academic skills and qualities important for an educated person.	<input checked="" type="radio"/>	<input type="radio"/>	53
c. List of general nonacademic skills and qualities important for an educated person.	<input checked="" type="radio"/>	<input type="radio"/>	53

4. How Learning Best Occurs/Instructional Design, including subgroup program (CCR 11967.5.1. (f)(C))			
a. A framework for instructional design that is aligned with the needs of the students that the charter has identified as its target student population.	<input checked="" type="radio"/>	<input type="radio"/>	54
b. Description of learning setting (e.g., site-based matriculation, independent study, tech-based).	<input checked="" type="radio"/>	<input type="radio"/>	handbook
c. Instructional approaches and strategies school will use that will enable the school's students, including subgroup populations such as English language learners (ELL), to master the content standards for the core curriculum areas adopted by the State Board of Education.	<input checked="" type="radio"/>	<input type="radio"/>	62
d. Process for developing or adopting curriculum and teaching methods.	<input checked="" type="radio"/>	<input type="radio"/>	hb 83
e. How the charter school will identify and meet the needs of students with disabilities, ELL students, students who are achieving substantially above or below grade level expectations, and other special student populations (EC 52052 (a)(2)). The description demonstrates understanding of the likely ELL population. Includes sound approach to identify and meet the needs of subgroup populations.	<input checked="" type="radio"/>	<input type="radio"/>	84, 71
f. Special education plan including, but not limited to, the means by which the charter school will comply with the provisions of EC Section 47641	<input checked="" type="radio"/>	<input type="radio"/>	76
g. A plan for professional development that aligns with the charter school's proposed program.	<input checked="" type="radio"/>	<input type="radio"/>	46, 47, 87
5. Materials, Including Technology			
a. How staff's and students' technology resources are aligned with the instructional program and meet state assessment requirements.	<input checked="" type="radio"/>	<input type="radio"/>	55
b. What materials are available to students; student-to-computer ratio appears reasonable.	<input checked="" type="radio"/>	<input type="radio"/>	55
c. A description or plan for providing adaptive technology for special education students.	<input checked="" type="radio"/>	<input type="radio"/>	5577
d. Common Core technology standards, digital assessments, and professional learning.	<input checked="" type="radio"/>	<input type="radio"/>	56
6. Annual Goals (EC 52064)			
a. Annual goals for all pupils and for each subgroup of pupils identified pursuant to EC Section 52052 that apply to the grade levels served.	<input checked="" type="radio"/>	<input type="radio"/>	LCAP

b. Goals tied to state priorities listed in EC Section 52060(d) and LCAP, as appropriate. Additional priorities related to unique aspects of the proposed charter school program include goals and specific annual actions.	<input checked="" type="radio"/>	<input type="radio"/>	LCAP
c. Specific annual actions designed to achieve the stated goals.	<input checked="" type="radio"/>	<input type="radio"/>	LCAP
7. Description Requirements for Charter Schools Serving High School Students (EC 47605(b)(5)(A))			
a. How parents will be informed about the transferability of courses to other public high schools.	<input checked="" type="radio"/>	<input type="radio"/>	90, 91
b. How parents will be informed about the eligibility of courses to meet college entrance requirements.	<input checked="" type="radio"/>	<input type="radio"/>	70
c. How each student will receive information on how to complete and submit the Free Application for Federal Student Aid (FAFSA) or California Dream Act Application at least once before the student enters grade 12.	<input checked="" type="radio"/>	<input type="radio"/>	61
d. How the exit outcomes will align with mission, curriculum and assessments.	<input checked="" type="radio"/>	<input type="radio"/>	21, 46,
e. Affirmation that all students will have the opportunity to take courses that meet the University of California's A-G requirements.	<input checked="" type="radio"/>	<input type="radio"/>	70
f. Planned graduation requirements and Western Association of Schools and Colleges (WASC) accreditation are defined.	<input checked="" type="radio"/>	<input type="radio"/>	90
Comments by review team:			
B. Measurable Student Outcomes			
Evaluation Criteria: EC 47605(c)(5)(B)	Evaluation Standard Met		Located on Page(s)
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	YES	NO	
1. Measurable pupil outcomes for all groups, i.e., specific assessment methods or tools listed for each exit outcome (EC 47607).	<input checked="" type="radio"/>	<input type="radio"/>	LCAP, goal 1-
2. A description of how pupil outcomes align with the state priorities consistent with the Local Control and Accountability Plan (LCAP), as described in EC 52060(d), that apply for the grade levels served or the nature of the program.	<input checked="" type="radio"/>	<input type="radio"/>	LCAP goal 1-
3. Specific annual actions designed to achieve the stated goals.	<input checked="" type="radio"/>	<input type="radio"/>	LCAP goal 1-

4. Additional school priorities related to unique aspects of the proposed charter school program, with goals and specific annual actions.	<input checked="" type="radio"/>	<input type="radio"/>	LCAP p. 1-2
5. Description of how pupil outcomes will address state content and performance standards in core academic areas.	<input checked="" type="radio"/>	<input type="radio"/>	93
6. Description of how exit outcomes align with the mission and instructional design of the program.	<input checked="" type="radio"/>	<input type="radio"/>	94-95
7. Description or affirmation that benchmark skills and specific classroom-level skills will be developed.	<input checked="" type="radio"/>	<input type="radio"/>	94-95
8. Schoolwide student performance goals students will achieve over a given period of time, including projected attendance levels, dropout percentage, and graduation rate goals.	<input checked="" type="radio"/>	<input type="radio"/>	LCAP goal 1-3

Comments by review team:

C. Student Progress Measurement

Evaluation Criteria: EC 47605(c)(5)(C) <i>THE PETITION DESCRIBES, AT MINIMUM</i>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. Assessment tools that include all required state and federal assessments (e.g., SBAC, ELPAC) for purposes of accountability.	<input checked="" type="radio"/>	<input type="radio"/>	4-95
2. At least one assessment method or tool listed for each of the exit assessments.	<input checked="" type="radio"/>	<input type="radio"/>	94-95
3. A variety of alternative assessment tools, including tools that use objective means of assessment consistent with the measurable pupil outcomes.	<input checked="" type="radio"/>	<input type="radio"/>	94-95
4. Chosen assessments are appropriate for standards and skills the charter school seeks to measure.	<input checked="" type="radio"/>	<input type="radio"/>	94-95
5. A plan for collecting, analyzing, using and reporting student and school performance to charter school staff and to students' parents and guardians, and for using the data continually to monitor and improve the charter school's educational program.	<input checked="" type="radio"/>	<input type="radio"/>	96-97

Comments by review team:

D. Governance Structure			
Evaluation Criteria: EC 47605(c)(5)(D)	Evaluation Standard Met		Located on
THE PETITION DESCRIBES, AT MINIMUM	YES	NO	Page(s)
1. Evidence of the charter school's incorporation as a nonprofit benefit corporation.	<input checked="" type="radio"/>	<input type="radio"/>	Appendix
a. Provides the names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school. (EC 47605(h)).	<input checked="" type="radio"/>	<input type="radio"/>	Appendix
b. Includes a set of bylaws and basic policies.	<input checked="" type="radio"/>	<input type="radio"/>	Appendix
2. Evidence that the organization and design of the governance structure reflect the following: A seriousness of purpose to ensure that the charter will become and remain a viable enterprise. Understanding and assurance of compliance with open meeting requirements (the Brown Act, Political Reform Act, Government Code 1090, and the Corporations Code, including the Nonprofit Integrity Act).	<input checked="" type="radio"/>	<input type="radio"/>	99-100
3. Key features of governing structure including, but not limited to, the following:	<input checked="" type="radio"/>	<input type="radio"/>	99-
a. Delineation of roles and responsibilities of the governing board and staff.	<input checked="" type="radio"/>	<input type="radio"/>	99-101
b. A clear description of the flexibility and level of autonomy the charter school has from the charter management organization over budget, expenditures, personnel, and daily operations.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
c. Size and composition of board, board committees and/or advisory councils.	<input checked="" type="radio"/>	<input type="radio"/>	Appendix
d. Method for selecting initial board members and election or appointment of replacement board members.	<input checked="" type="radio"/>	<input type="radio"/>	Appendix
4. A process for involvement or input of parents and guardians in the governance of the charter school, including the following:	<input checked="" type="radio"/>	<input type="radio"/>	101-103
a. A clear delineation of roles and responsibilities of parent councils, advisory committee and other supporting groups.	<input checked="" type="radio"/>	<input type="radio"/>	101-103
b. A description how it shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to or continuation at the charter school.	<input checked="" type="radio"/>	<input type="radio"/>	120

5. Specific policies and internal controls that will prevent fraud, embezzlement and conflict of interest, and that ensure the implementation and monitoring of those policies.	<input checked="" type="radio"/>	<input type="radio"/>	Appendix
6. A description and frequency of board trainings and workshops.	<input checked="" type="radio"/>	<input type="radio"/>	100
7. Other important legal or operational relationships between the charter school and granting agency.	<input checked="" type="radio"/>	<input type="radio"/>	99
Comments by review team:			
E. Employee Qualifications			
Evaluation Criteria: EC 47605(c)(5)(E)	Evaluation Standard Met		Located on Page(s)
THE PETITION DESCRIBES, AT MINIMUM	YES	NO	
1. Core and college preparatory teachers, and affirms all teachers will hold appropriate Commission on Teacher Credentialing certificates (EC 47605.4)	<input checked="" type="radio"/>	<input type="radio"/>	107
2. Those positions that the charter school regards as key and for which it specifies additional qualifications , responsibilities and accountability.	<input checked="" type="radio"/>	<input type="radio"/>	105-106
3. General qualifications for the various categories of employees (e.g., other administrative, instructional support, noninstructional support). These qualifications shall be sufficient to ensure the health and safety of the charter school's faculty, staff and students.	<input checked="" type="radio"/>	<input type="radio"/>	106
4. A clear plan for recruitment, selection, development and evaluation of staff and charter school leaders.	<input type="radio"/>	<input checked="" type="radio"/>	54
5. Roles and lines of authority for board and management positions.	<input checked="" type="radio"/>	<input type="radio"/>	100-103
6. Qualifications for non-core, non-college-prep teaching positions staffed by noncertified teachers.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
7. Proposed teacher-to-student ratio.	<input checked="" type="radio"/>	<input type="radio"/>	75
Comments by review team:			
<p>4. States recruitment is discussed in Element 5</p> <p>6. This area is not found this is most likely due to non-core, non-college-prep is no longer an option for teachers</p>			

F. Health and Safety Procedures			
Evaluation Criteria: EC 47605(c)(5)(F)	Evaluation Standard Met		Located on Page(s)
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	YES	NO	
1. A comprehensive charter school safety plan, and assurance that all charter school staff will be trained on this plan and that the plan will be updated annually.	<input checked="" type="radio"/>	<input type="radio"/>	112
2. Assurances that the charter school will require a criminal background clearance report and proof of tuberculosis examination prior to employment.	<input checked="" type="radio"/>	<input type="radio"/>	110
3. Assurances that the charter school will adopt procedures to prevent acts of bullying and cyberbullying, and make the California Department of Education (CDE) online training module available to all employees who interact with students.	<input checked="" type="radio"/>	<input type="radio"/>	114
4. Affirmation that charter schools with grades 7-12 will adopt a suicide prevention policy. Policy must be adopted in conjunction with a variety of stakeholders and must address the needs of specifically high-risk groups.	<input checked="" type="radio"/>	<input type="radio"/>	113
5. Health and safety practices for students and staff. Health and safety policies and practices should include, but not be limited to, the following: Mandated child abuse reporting. Natural disasters and emergencies, including seismic safety (structural integrity and earthquake preparedness). Required immunizations, vision, hearing and scoliosis health screenings, and administration of medications to the same extent as would apply if the students attended a noncharter public school. Staff training on emergency and first aid response (e.g., epi pen usage, defibrillator) Notification to students, parents and guardians on how to access student mental health services on campus and/or in the community Assurances that in grades 6-12, if applicable, the charter school identifies the most appropriate method of informing parents and guardians of human trafficking prevention resources.	<input checked="" type="radio"/>	<input type="radio"/>	112-114
a. references include health- and safety-related policies and procedures or the date by which they will be adopted and submitted to the authorizer.	<input checked="" type="radio"/>	<input type="radio"/>	109
6. Assurances regarding compliance with the Americans with Disabilities Act (ADA).	<input checked="" type="radio"/>	<input type="radio"/>	112

Comments by review team:

G. Racial and Ethnic Balance

Evaluation Criteria: EC 47605(c)(5)(G)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
1. Specific practices and policies the charter school will design and implement to attract a diverse applicant pool and enrollment that reflects the general population, including special populations that reside within the district's territorial jurisdiction.	<input checked="" type="radio"/>	<input type="radio"/>	118
2. Practices and policies appear likely to achieve racial and ethnic balance.	<input checked="" type="radio"/>	<input type="radio"/>	118
3. The outreach strategies, which identify specifically who the targeted groups will be and include developed or planned benchmarks for achieving balance.	<input checked="" type="radio"/>	<input type="radio"/>	118
4. Types of supports that will be provided to maintain enrollment balance (e.g., counselors, support staff, medical-related staff).	<input checked="" type="radio"/>	<input type="radio"/>	54

Comments by review team:

H. Admissions Policies and Procedures, If Applicable

Evaluation Criteria: EC 47605(c)(5)(H)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
1. The following assurances: The charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, equal rights, and opportunities in the educational institutions of the state.	<input checked="" type="radio"/>	<input type="radio"/>	120

2. A clear description of admission policies that meet the state and federal permissive preferences.	<input checked="" type="radio"/>	<input type="radio"/>	120
3. A clear description of how students in the community will be informed and given an equal opportunity to attend the charter school. All promotional material must clearly state the charter school will serve ALL students.	<input checked="" type="radio"/>	<input type="radio"/>	118
4. Proposed admissions and enrollment requirements, process and timeline, which include the following:	<input checked="" type="radio"/>	<input type="radio"/>	121-123
a. Information to be collected through the interest form, application form, and/or enrollment form.	<input checked="" type="radio"/>	<input type="radio"/>	123
b. Assurances that enrollment preferences will not require mandatory parent volunteer hours as a criteria for admission.	<input checked="" type="radio"/>	<input type="radio"/>	120
5. Description of the public random drawing processes that comply with state and federal laws.	<input checked="" type="radio"/>	<input type="radio"/>	121-122
6. Assurances that preferences, if given, are not likely to negatively impact the racial, ethnic and unduplicated pupil balance the charter school strives to reflect.	<input checked="" type="radio"/>	<input type="radio"/>	122

Comments by review team:

I. Annual Independent Financial Audits

Evaluation Criteria: EC 47605(c)(5)(I) <i>THE PETITION DESCRIBES, AT MINIMUM</i>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. The manner in which the audit will be conducted.	<input checked="" type="radio"/>	<input type="radio"/>	125
2. Procedures to select and retain an independent auditor, including: Qualifications that will be used for the selection of an independent auditor, Assurance that the auditor will have experience in education finance.	<input checked="" type="radio"/>	<input type="radio"/>	125
3. Assurance that the annual audit will employ generally accepted accounting principles.	<input checked="" type="radio"/>	<input type="radio"/>	125
4. Scope and timing of audit, as well as distribution of completed audit to authorizer, county office, State Controller, California Department of Education, and/or other agencies required by law.	<input checked="" type="radio"/>	<input type="radio"/>	125

5. A process and timeline that the charter school will follow to address any audit findings and/or resolve audit exceptions.	<input checked="" type="radio"/>	<input type="radio"/>	125
6. Assurance that the charter school will satisfy any audit deficiencies to the satisfaction of the authorizer.	<input checked="" type="radio"/>	<input type="radio"/>	125
7. Who is responsible for contracting with and overseeing the independent audit.	<input type="radio"/>	<input checked="" type="radio"/>	n/a

Comments by review team:

J. Suspension and Expulsion Procedures

Evaluation Criteria: EC 47605(c)(5)(J)	Evaluation Standard Met		Located on Page(s)
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	YES	NO	
1. A process for suspensions of fewer than 10 days, including the following:	<input checked="" type="radio"/>	<input type="radio"/>	138-139
a. Oral or written notice of the charges against the pupil.	<input checked="" type="radio"/>	<input type="radio"/>	139
b. If the pupil denies the charges, an explanation of the evidence that supports the charges.	<input checked="" type="radio"/>	<input type="radio"/>	138
c. How an opportunity will be provided for the pupil to present a rebuttal to the charges.	<input checked="" type="radio"/>	<input type="radio"/>	138
2. A process for suspensions of 10 days or more and all other expulsions for disciplinary reasons, including the following:	<input checked="" type="radio"/>	<input type="radio"/>	139-140
a. Timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.	<input checked="" type="radio"/>	<input type="radio"/>	140
b. A process of hearing adjudicated by a neutral officer within a reasonable number of days, and to which the pupil has the right to bring legal counsel or an advocate.	<input checked="" type="radio"/>	<input type="radio"/>	140
3. 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 with written notice, and that ensures the written notice shall be in the native language of the pupil or the pupil's parent or guardian.	<input checked="" type="radio"/>	<input type="radio"/>	129

4. Understanding of relevant laws protecting constitutional rights of students. Petitioner's understanding of relevant laws should indicate that their proposed lists of offenses and procedures provide adequate safety for pupils, staff and visitors to the school, and serve the best interests of the school's pupils and their parents and guardians.	<input checked="" type="radio"/>	<input type="radio"/>	128-147
a. Provides for due process for all students and demonstrates understanding of the rights of students with disabilities, in regard to suspension, expulsion and involuntary dismissal.	<input checked="" type="radio"/>	<input type="radio"/>	144-147
b. Explanation of how authorizer may be involved in disciplinary matters.	<input checked="" type="radio"/>	<input type="radio"/>	143
Comments by review team:			
K. Staff Retirement System			
Evaluation Criteria: EC 47605(c)(5)(K)	Evaluation Standard Met		Located on
THE PETITION DESCRIBES, AT MINIMUM	YES	NO	Page(s)
1. A statement of what retirement options will be offered to employees	<input checked="" type="radio"/>	<input type="radio"/>	149
a. State Teachers' Retirement System (STRS) (if STRS, then all teachers must participate).	<input checked="" type="radio"/>	<input type="radio"/>	149
b. Public Employees' Retirement System (PERS).	<input checked="" type="radio"/>	<input type="radio"/>	149
c. Social Security.	<input checked="" type="radio"/>	<input type="radio"/>	149
2. Whether retirement will be offered, with language clearly reflecting one of the following choices for each retirement system: Coverage will be offered to eligible employees. The charter school retains the option to elect the coverage at a future date. The charter school will not offer coverage.	<input checked="" type="radio"/>	<input type="radio"/>	149
3. Who is responsible for ensuring that the appropriate arrangements for coverage have been made.	<input type="radio"/>	<input checked="" type="radio"/>	Not Found

Comments by review team:

3. It would most likely be the individual that is doing the on-bording.

L. Public School Attendance Alternatives

Evaluation Criteria: EC 47605(c)(5)(L)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
1. Attendance alternatives for students who reside within the county and choose not to attend the charter school.	<input checked="" type="radio"/>	<input type="radio"/>	151

Comments by review team:**M. Post-employment Rights of Employees**

Evaluation Criteria: EC 47605(c)(5)(M)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
1. School district employees' return to employment rights, including the following:	<input checked="" type="radio"/>	<input type="radio"/>	153
a. Whether, and how staff may resume employment within the district or authorizer.	<input checked="" type="radio"/>	<input type="radio"/>	153
b. The ability to transfer sick and/or vacation leave to and from the charter school and another LEA	<input type="radio"/>	<input checked="" type="radio"/>	Not found
c. Whether staff will continue to earn service credit (tenure) in district while employed at the charter.	<input type="radio"/>	<input checked="" type="radio"/>	Not found
2. Whether collective bargaining contracts of the charter authorizer will be controlling documents.	<input checked="" type="radio"/>	<input type="radio"/>	153

Comments by review team:

- b. Did not find evidence that individuals can transfer their sick /vacation from other LEA's.
 c. Since the Charter is not a district charter this would not be applicable.

N. Dispute Resolution Procedures

Evaluation Criteria: EC 47605(c)(5)(N)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
1. A process for the charter and the authorizer to settle disputes related to the provisions of the charter.	<input checked="" type="radio"/>	<input type="radio"/>	155
2. The process by which the charter will resolve internal complaints and disputes.	<input checked="" type="radio"/>	<input type="radio"/>	156
a. Includes Uniform Complaint procedures and a description of how this process is communicated to parents, staff and the community.	<input checked="" type="radio"/>	<input type="radio"/>	156
3. Acknowledgement that, except for disputes between the chartering authority and the charter school, all disputes involving the charter school shall be resolved by the charter school according to the charter school's own internal policies.	<input checked="" type="radio"/>	<input type="radio"/>	156
4. Statement that if any such dispute concerns facts or circumstances that may be cause for revocation of the charter, the authorizer shall not be obligated by the terms of the dispute resolution process as a precondition to revocation.	<input checked="" type="radio"/>	<input type="radio"/>	155

Comments by review team:**O. Closure Procedures**

Evaluation Criteria: EC 47605(c)(5)(O)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
1. The procedures to be used if the charter school closes, including the following:	<input checked="" type="radio"/>	<input type="radio"/>	158-159

a. Who is the responsible entity or person that will conduct closure-related activities.	<input checked="" type="radio"/>	<input type="radio"/>	158
b. How the charter will communicate the closure to students, parents and guardians, the authorizing entity, the county office of education, the charter's special education local plan area, the retirement systems in which the school's employees participate, and the California Department of Education.	<input checked="" type="radio"/>	<input type="radio"/>	158
c. Who will conduct the process for the completion and submission of final financial reports, expenditure reports for entitlement grants, and the filing of any required final expenditure and performance reports.	<input checked="" type="radio"/>	<input type="radio"/>	159
2. The maintenance plan for pupil records and the manner in which parents and guardians may obtain copies of pupil records if the charter school closes, including how information will be preserved and transferred.	<input checked="" type="radio"/>	<input type="radio"/>	158-159
3. A process for how the charter will ensure a final audit of the charter school.	<input checked="" type="radio"/>	<input type="radio"/>	159
a. An assurance the audit will be conducted within six months of closure.	<input checked="" type="radio"/>	<input type="radio"/>	159
b. The disposition of the charter school's assets.	<input checked="" type="radio"/>	<input type="radio"/>	159
c. Plans for disposing net assets including at least the following: The disposition of all assets of the charter, including cash and accounts receivable and an inventory of property, equipment and other items of material value. An accounting of all liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation. An assessment of the disposition of any restricted funds received by or due to the charter. Process for the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.	<input checked="" type="radio"/>	<input type="radio"/>	159
4. The transfer and maintenance of personnel records in accordance with applicable law.	<input checked="" type="radio"/>	<input type="radio"/>	159
Comments by review team:			

V. Required Supplemental Criteria

Criteria in **RED** indicate descriptions that are required under law to be included in the charter petition.

Criteria in **BLACK** are strongly suggested to be included to ensure that the charter petition is reasonably comprehensive.

Financial and Administrative Plan			
Evaluation Criteria: EC.47605(h)	Evaluation Standard Met		Located on
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	Yes	No	Page(s)
1. A first year operational budget:			
a. Annual revenues and expenditures clearly identified by source.	<input checked="" type="radio"/>	<input type="radio"/>	165
b. Revenue assumptions in alignment with applicable state and federal funding formulas.	<input checked="" type="radio"/>	<input type="radio"/>	165
c. Expenditure assumptions that reflect the school design plan.	<input checked="" type="radio"/>	<input type="radio"/>	167
d. Expenditure assumptions that reflect market costs.	<input checked="" type="radio"/>	<input type="radio"/>	167
e. Revenues from grants or other proposed fundraising that are not essential to fiscal solvency.	<input checked="" type="radio"/>	<input type="radio"/>	165
f. Minimum reserve level and projected positive ending fund balance (the larger of 3% of expenditures, or \$25,000).	<input checked="" type="radio"/>	<input type="radio"/>	168
g. If expenditures exceed revenues in first year of operation, identifies sources of capital sufficient to cover deficits until the budget is projected to balance.	<input checked="" type="radio"/>	<input type="radio"/>	n/a
h. Expenditures for property and liability insurance that name the district or authorizer as additional insured (and/or a hold harmless agreement).	<input checked="" type="radio"/>	<input type="radio"/>	162
i. Expenditures for reasonably expected legal services.	<input checked="" type="radio"/>	<input type="radio"/>	167
j. Expenditures for special education excess costs, consistent with current experiences in the school district or county office.	<input checked="" type="radio"/>	<input type="radio"/>	n/a
k. Expenditures for facilities, or, if specific facilities are not secured, reasonable projected cost.	<input checked="" type="radio"/>	<input type="radio"/>	167
l. Expenditures for required student meals that meet federal nutritional requirements.	<input checked="" type="radio"/>	<input type="radio"/>	n/a
m. The alignment of LCAP expenditures with the charter's budget.	<input checked="" type="radio"/>	<input type="radio"/>	#7
2. Financial projections include a clear description of planning assumptions:			
a. Revenues and expenditures in the budget correlate with the number and/or types of students by grade level.	<input checked="" type="radio"/>	<input type="radio"/>	165
b. Expenditure assumptions correlate with the number of staff in the budget.	<input checked="" type="radio"/>	<input type="radio"/>	166
c. Expenditure assumptions correlate with the facility needs in the budget	<input checked="" type="radio"/>	<input type="radio"/>	#17
d. Expenditure assumptions in alignment with the overall school design plan.	<input checked="" type="radio"/>	<input type="radio"/>	n/a

e. Revenues based on state and federal funding guidelines	⊙	○	165
f. Revenues based on reasonable potential growth in local, state and federal categories.	⊙	○	165
g. Revenues based on reasonable student growth projections.	⊙	○	165
h. Revenue from sources such as grants, loans, donations and other non-guaranteed funds not necessary for the charter to maintain fiscal solvency.	⊙	○	165
i. Timeline for any referenced grant applications to be submitted and funded.	⊙	○	n/a
j. Positive reserves are maintained in all three years.	⊙	○	168
k. Fund balances are positive, or sources of supplemental working capital are identified.	⊙	○	168
3. Start-up costs			
a. Reasonable allocation for all major start-up costs, including the following: Staffing Facilities Equipment and supplies Professional services (e.g., food services) Technology materials Assessment systems/materials Legal costs	⊙	○	n/a
b. In alignment with overall school design plan.	⊙	○	n/a
c. Potential funding sources.	⊙	○	n/a
d. Timeline that allows for grant applications and fundraising efforts to be completed in time, if included in start-up costs.	⊙	○	n/a
4. Cash flow projections for first three years:			
a. Monthly projection of revenue receipts in line with local, state and federal funding disbursements.	⊙	○	#19
b. Expenditures are projected by month and correspond with typical or reasonable schedules.	⊙	○	#19
c. Balance sheet accounts are projected by month.	⊙	○	#19
d. Show positive cash balance each month and/or identify sources of working capital.	⊙	○	#19
5. Structure for administrative services and operations			
a. Outline or process for how personnel transactions will be conducted (i.e., hiring, payroll, leaves and retirement).	○	⊙	n/a

b. Accounting and payroll processes that reflect an understanding of school business practices and the expertise needed to carry out the required functions.	<input type="radio"/>	<input checked="" type="radio"/>	n/a
c. Plan and timeline to develop and assemble school business practices and expertise.	<input checked="" type="radio"/>	<input type="radio"/>	125
d. Explanation of how the school intends to manage risk, including any policies and procedures.	<input checked="" type="radio"/>	<input type="radio"/>	162
e. If operated by a nonprofit organization, an affirmation that it will provide additional 501(c)(3) fiscal reports.	<input checked="" type="radio"/>	<input type="radio"/>	162
Back Office Providers			
Evaluation Criteria: EC 47605(h)	Evaluation Standard Met		Located on
THE PETITION DESCRIBES, AT MINIMUM	Yes	No	Page(s)
1. Name of the back office provider and a description of support used by the charter.	<input checked="" type="radio"/>	<input type="radio"/>	n/a
2. Affirmation that the back office provider will provide timely submissions of calendared items by their respective due dates.	<input checked="" type="radio"/>	<input type="radio"/>	n/a
3. Affirmation that the back office provider will provide timely submissions of requests for information.	<input checked="" type="radio"/>	<input type="radio"/>	n/a
Comments by review team:			
<p>#5a and #5b - This information is not explicitly required for charter petitions and was not included herein, however the CCCOE's observations of this charter over the last te</p>			
Charter Management Organization (CMO)			
(i.e., entities managing charter schools)			
Evaluation Criteria: EC 47605(h)	Evaluation Standard Met		Located on
THE PETITION DESCRIBES, AT MINIMUM	Yes	No	Page(s)
1. Name and relationship of CMO to charter school, including the following:			
Roles			
Responsibilities	<input type="radio"/>	<input checked="" type="radio"/>	N/A
Payment structure			
Conditions for renewal and termination			
Investment disclosure			
2. CMO's role in the financial management of the charter, and the associated internal controls.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
3. Other schools and/or companies managed by the CMO.	<input type="radio"/>	<input checked="" type="radio"/>	N/A

4. CMO's history, philosophy, and past results operating other schools and/or companies.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
5. CMO's Form 990s for up to prior three years.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
6. Affirmation that the CMO will provide timely submissions of calendared items by their respective due dates.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
7. Affirmation that the CMO will provide timely submissions of request for information items.	<input type="radio"/>	<input checked="" type="radio"/>	N/A

Comments by review team:

IAR is not part of a Charter Management Organization.

Facilities

Evaluation Criteria: EC 47605(h)	Evaluation Standard Met		Located on
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	Yes	No	Page(s)
1. Location of facility			
a. The types and the location of the charter school facility or facilities that the petitioner proposes to operate, including the following: Size and resources Safety Educational suitability	<input checked="" type="radio"/>	<input type="radio"/>	112
b. The address of the facility or a schedule for securing the facility, including the person responsible for securing the location.	<input checked="" type="radio"/>	<input type="radio"/>	112
c. Assessment and analysis of anticipated facilities needs and viability of potential sites.	<input type="radio"/>	<input checked="" type="radio"/>	112
2. Current and projected availability			
a. Current and projected availability of each charter school site, and schedule for securing the facility.	<input checked="" type="radio"/>	<input type="radio"/>	161
b. Assurances of legal compliance with all health and safety, ADA, and applicable building codes.	<input checked="" type="radio"/>	<input type="radio"/>	112
c. Adequate budget for anticipated costs, including renovation, rent, maintenance and utilities.	<input checked="" type="radio"/>	<input type="radio"/>	MYP
d. Statement of whether a request will be made for use of authorizer-owned facilities.	<input type="radio"/>	<input checked="" type="radio"/>	TBD
e. Lease or occupation agreement for privately obtained facilities, and/or a copy of the lease agreement.	<input checked="" type="radio"/>	<input type="radio"/>	Lease

Comments by review team:

2.c. IAR Multi-Year Financial Projections doc indicate funding is available for anticipated csts, renovation, rent, maintenance and utilities.

1.c. One may not be needed; however, there is no "Assessment and analysis of anticipated facilities needs and viability of potential sites".

1.d. There is not a "statement"; however, the IAR Facilities Use Agreement may suffice.

Impact Statement

Evaluation Criteria: EC 47605(h)	Evaluation Standard Met		Located on Page(s)
	Yes	No	
<i>THE PETITION DESCRIBES, AT MINIMUM</i>			
1. Number of students anticipated to enroll.	<input checked="" type="radio"/>	<input type="radio"/>	52
2. Whether the charter will request to purchase support services from authorizer.	<input checked="" type="radio"/>	<input type="radio"/>	162
3. Affirmation there will be a memorandum of understanding between the authorizer and charter school.	<input checked="" type="radio"/>	<input type="radio"/>	162
4. Processes and policies between the charter and its authorizer, including the following:	<input type="radio"/>	<input checked="" type="radio"/>	N/R
a. Process, activities and associated fees for oversight of the charter.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
b. Processes, timelines, and evaluation criteria for annual review and site visits.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
c. Regular, ongoing fiscal and programmatic performance monitoring and reporting.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
d. Process, timelines and evaluation criteria for charter renewal.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
e. Other important legal or operational relationships between authorizer and charter school.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
5. Criteria and procedure for the selection of a contractor, if applicable, including the following	<input type="radio"/>	<input checked="" type="radio"/>	N/R
a. Process for determining necessary expertise.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
b. Selection of the contractor or contractors, if applicable.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
6. Potential civil liability effects, if any, upon the school and the authorizer.	<input checked="" type="radio"/>	<input type="radio"/>	162

Comments by review team:

The above sections with an indication of "N/R" are not required elements of the charter petition.

Community Impact			
Evaluation Criteria: EC 47605(c)(7)	Evaluation Standard Met		Located on Page(s)
THE PETITION DESCRIBES, AT MINIMUM	Yes	No	
1. How the charter school will not substantially undermine existing school district services, academic offerings, or program offerings.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
2. Whether the charter school petition duplicates a program currently offered by the district, and whether the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity of where the charter school intends to locate.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
Comments by review team: <p>These considerations are not applicable for a charter renewal.</p>			
Special Education			
Evaluation Criteria: EC 47641(a) and EC 47646	Evaluation Standard Met		Located on Page(s)
THE PETITION DESCRIBES, AT MINIMUM	Yes	No	
1. The school's special education structure (3 options): a. Charter school will be an independent LEA for special education purposes. b. Charter school will be a school within the district. c. The charter school will be a SELPA. Note: If the charter elects "b", a school within the district, district staff will be responsible to serve students, the district will collect special education funding, and the charter may pay a share of district's overall costs.	<input checked="" type="radio"/>	<input type="radio"/>	76
2. How special education services will be provided consistent with the SELPA plan and/or policies and procedures. a. Includes a fiscal allocation plan in alignment with the SELPA the charter plans to join.	<input checked="" type="radio"/>	<input type="radio"/>	76
3. Affirmation that the charter school will assume full responsibility for appropriate accommodations to address the needs of any student.	<input checked="" type="radio"/>	<input type="radio"/>	76
4. Acknowledgment that the charter is responsible for providing special education, instruction and related services to the students enrolled in the school, regardless of any student's district of residence.	<input checked="" type="radio"/>	<input type="radio"/>	77
5. The process for notifying a student's district of residence and authorizing LEA when a special education student enrolls, becomes eligible or ineligible, and/or leaves the charter.	<input checked="" type="radio"/>	<input type="radio"/>	80
6. The transition to or from a district when a student with an individualized education program (IEP) enrolls in or transfers out of the charter.	<input checked="" type="radio"/>	<input type="radio"/>	80

7. Evidence that the school has consulted with a SELPA, such as a letter from SELPA confirming receipt of application. The evidence should demonstrate the following:	<input type="radio"/>	<input checked="" type="radio"/>	MOU
a. An understanding of the charter's special education responsibilities.	<input type="radio"/>	<input checked="" type="radio"/>	MOU
b. A draft application of SELPA policies, or assurance that such policies will be created.	<input type="radio"/>	<input checked="" type="radio"/>	MOU
8. Includes the following assurances:	<input checked="" type="radio"/>	<input type="radio"/>	n/a
a. The charter will comply with all provisions of IDEA.	<input checked="" type="radio"/>	<input type="radio"/>	6
b. No student will be denied admission based on disability or lack of available services.	<input checked="" type="radio"/>	<input type="radio"/>	120
c. A student study team process will be implemented.	<input checked="" type="radio"/>	<input type="radio"/>	77
d. Any student in need of Section 504 services will receive such services.	<input checked="" type="radio"/>	<input type="radio"/>	81
If the charter will not be an independent LEA			
1. Clarifies in the charter petition or in a memorandum of understanding the responsibilities of each party for service delivery, including referral, assessment, instruction, due process, and agreements describing allocation of actual excess costs.	<input type="radio"/>	<input checked="" type="radio"/>	n/a
2. An assertion that the charter will be fiscally responsible for its fair share of any contributions from general funds.	<input type="radio"/>	<input checked="" type="radio"/>	n/a
If the charter school is an independent LEA within a SELPA			
1. Notifies the SELPA director of its intent to participate before February 1 of the preceding school year.	<input checked="" type="radio"/>	<input type="radio"/>	76
2. Includes its current operating budget in accordance with EC 42130 and EC 42131	<input checked="" type="radio"/>	<input type="radio"/>	Appendix
3. Understands that the charter school is fiscally responsible for its fair share of any contributions from general funds.	<input checked="" type="radio"/>	<input type="radio"/>	77
4. Asserts responsibility for any legal fees related to the application and assurances process.	<input checked="" type="radio"/>	<input type="radio"/>	77
5. Demonstrates it is located within SELPA's geographical boundaries.	<input type="radio"/>	<input checked="" type="radio"/>	n/a
6. Asserts all instruction will be in a safe environment.	<input checked="" type="radio"/>	<input type="radio"/>	79
7. Affirms the terms of the agreement will be met regarding the organization, implementation, administration and operation of the SELPA.	<input checked="" type="radio"/>	<input type="radio"/>	44
Comments by review team:			

Required Declaration			
Evaluation Criteria: EC 47605(c)(6)	Evaluation Standard Met		Located on Page(s)
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	Yes	No	
1. 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.	<input checked="" type="radio"/>	<input type="radio"/>	6
Required Affirmations			
Evaluation Criteria: EC 47605(e)	Evaluation Standard Met		Located on Page(s)
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	Yes	No	
1. Affirmation that the school will be nonsectarian in its: Programs Admission policies Employment practices All other operations	<input checked="" type="radio"/>	<input type="radio"/>	6
2. Affirmation that the school shall not charge tuition.	<input checked="" type="radio"/>	<input type="radio"/>	6
3. Affirmation that the school shall not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the California Penal Code.	<input checked="" type="radio"/>	<input type="radio"/>	6
4. Affirmation that admission to a charter school shall not be determined according to the place of residence of the pupil, or of the pupil's parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.	<input checked="" type="radio"/>	<input type="radio"/>	6
5. Affirmation that the charter school shall admit all pupils who wish to attend the charter school.	<input checked="" type="radio"/>	<input type="radio"/>	6
6. Affirmation that the school will comply with federal, state and local laws as required for charter schools.	<input checked="" type="radio"/>	<input type="radio"/>	6
Comments by review team:			

VI. Alternative Education Criteria

Criteria For Alternative Education Charter Schools, If Applicable			
Evaluation Criteria: EC 58500 - 58512	Evaluation Standard Met		Located on Page(s)
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	Yes	No	
1. Acknowledgement that the charter school will maintain an unduplicated pupil count of at least 70% of the school's total enrollment, composed of the following required high-risk student groups:	<input type="radio"/>	<input checked="" type="radio"/>	N/A
a. Expelled (EC 48925(b)) including situations in which enforcement of the expulsion order was suspended (EC 48917).	<input type="radio"/>	<input checked="" type="radio"/>	N/A
b. Suspended (EC 48925(d)) more than 10 days in a school year.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
c. Wards of the court (Welfare and Institution Code (WIC) Section 601 or 602) or dependents of the court (WIC Section 300 or 654).	<input type="radio"/>	<input checked="" type="radio"/>	N/A
d. Pregnant and/or parenting.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
e. Recovered dropouts – State Board of Education (SBE) defines recovered dropouts based on EC 52052.3(b) as students who: (1) are designated as dropouts pursuant to the exit and withdraw codes in the California Longitudinal Pupil Achievement Data System (CALPADS), or (2) left school and were not enrolled in a school for a period of 180 days.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
f. Habitually truant (EC 48262) or habitually insubordinate and disorderly whose attendance at the school is directed by a school attendance review board or probation officer (EC 48263).	<input type="radio"/>	<input checked="" type="radio"/>	N/A
g. Retained more than once in kindergarten through grade eight.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
h. Students who are credit deficient (i.e., students who are one semester or more behind in the credits required to graduate on time, per grade level, from the enrolling school's credit requirements).	<input type="radio"/>	<input checked="" type="radio"/>	N/A
i. Students with a gap in enrollment (i.e., students who have not been in any school during the 45 days prior to enrollment in the current school, when the 45 days does not include noninstructional days such as summer break, holiday break, off-track, and other days when a school is closed).	<input type="radio"/>	<input checked="" type="radio"/>	N/A
j. Students with a high level of transiency (i.e., students who have been enrolled in more than two schools during the past academic year or who have changed secondary schools more than two times since entering high school).	<input type="radio"/>	<input checked="" type="radio"/>	N/A
k. Foster youth (EC 42238.01[b]).	<input type="radio"/>	<input checked="" type="radio"/>	N/A
l. Homeless youth.	<input type="radio"/>	<input checked="" type="radio"/>	N/A
2. Clearly articulated mission and purpose to recruit and educate high-risk students.	<input type="radio"/>	<input checked="" type="radio"/>	N/A

VII. Independent Study Supplemental Criteria

Independent Study/Non-Classroom-based Instruction — For Renewals Only			
(There is a 5-year moratorium on the approval of new petitions effective January 1, 2020 to January 1, 2025)			
Evaluation Criteria: EC 51745	Evaluation Standard Met		Located on
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	Yes	No	Page(s)
1. An assurance that the K-12 public school guidelines for independent study will be evident in the annual audit per EC 47612.5(b).	<input checked="" type="radio"/>	<input type="radio"/>	7
2. An assurance that the charter will meet the requirement related to the ratio of average daily attendance (ADA) to full-time equivalent (FTE) certificated employees as prescribed under EC 51745.6(a).	<input checked="" type="radio"/>	<input type="radio"/>	7
3. An acknowledgement that independent study will be supervised by an appropriately credentialed teacher per EC 51747.5(a).	<input checked="" type="radio"/>	<input type="radio"/>	7
4. An acknowledgement that the charter may claim apportionment credit for independent study only to the extent of the time value of pupil or student work products, as personally judged in each instance by a certified teacher, per EC 51747.5(b).	<input checked="" type="radio"/>	<input type="radio"/>	7
5. The maximum length of time, by grade level and type of program, that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work (EC 51747(a)).	<input type="radio"/>	<input checked="" type="radio"/>	N/R
6. The number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interest of the pupil to remain in independent study or whether the pupil should return to a regular school program (EC 51747(b)).	<input type="radio"/>	<input checked="" type="radio"/>	N/R
7. An assurance that each written agreement shall be signed, prior to the commencement of independent study, by the pupil, the pupil's parent, legal guardian or caregiver if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil (EC 51747(g) (9)(A)).	<input type="radio"/>	<input checked="" type="radio"/>	N/R
8. A description of how the required written agreement for each pupil will be processed and maintained, including at a minimum the following (EC 51747(g)):	<input checked="" type="radio"/>	<input type="radio"/>	7
a. The manner, time, frequency, and place for submitting a pupil's assignments, for reporting the pupil's academic progress, and for communicating with a pupil's parent or guardian regarding the pupil's academic progress.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
b. The objectives and methods of study for the pupil's work, and the methods used to evaluate that work.	<input type="radio"/>	<input checked="" type="radio"/>	N/R

c. The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access for all pupils to the connectivity and devices needed to participate in the educational program and complete assigned work.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
d. A statement of the policies adopted pursuant to subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, and the number of missed assignments allowed prior to an evaluation of whether or not the pupil should be allowed to continue in independent study.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
e. The duration of the independent study agreement, including the beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one school year.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
f. A statement of the number of course credits, or, for elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
g. A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or who need support in other areas, such as English learners or individuals with exceptional needs, to be consistent with the pupil's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 USC Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
h. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate.	<input type="radio"/>	<input checked="" type="radio"/>	N/R
Comments by review team: <p>The IAR petition includes a general assurance that it will comply with Education Code 47612.5 and 51745 et. seq. Additional independent study program details are not inc</p>			

VIII. Charter School Petition Review Findings of Fact

Education Code 47605(c)

In reviewing petitions for the establishment of charter schools pursuant to this section, 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 the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part 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 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 subdivision (a).
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).
- (5) The petition does not contain reasonably comprehensive descriptions of all of the 15 elements (A - O).
- (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 1240 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 1240, has a negative interim certification pursuant to Section 1240, 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.

IX. Glossary

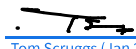
ADA	Average daily attendance, OR Americans with Disabilities Act
affiliated school(s)	Current or past charter schools that are connected in any way to a proposed charter school petition.
affirmation	Confirmation or declared statement that something is true.
authorizer	Governing board of a school district or county office of education that approves a charter petition.
authorizing agency	District or county office of education that provides the day-to-day oversight and monitoring of an approved charter school.
charter	Approved charter school petition.
charter governing board	Governing body responsible for making leadership decisions regarding the charter school's educational, management and financial operations.
charter management organization	Organization that operates multiple charter schools in one or more school districts.
charter school petition	A document that is submitted to a school district or county office of education, requesting to operate a public charter school.
corporate affiliations	A person or persons connected with other charter schools, or organizations that provide services to charter schools.
EC	Education Code
ELL	English language learner
evaluation criteria	Benchmarks against which conformance, performance, and suitability of a plan, as well as of risk-reward ratio, are measured.
evaluation matrix	A tool or method used to objectively evaluate a number of options against a number of criteria.
evaluation rubric, also known as rating definitions	A scoring guide used to define the expectation of a quality response to the petition evaluation criteria.

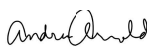
evaluation standard	How the quality of an evaluation will be judged.
findings of fact	Specific facts that support one or more underlying reasons for the denial of a charter school petition under consideration.
initial petition	Submission of a new charter school petition to a school district or county office of education, asking to open a charter school.
LEA	local educational agency
lead petitioner	A person who is the main contact for the submission of a charter petition to a school district or county office of education.
MOU	Memorandum of understanding — a document that describes the broad outlines of an agreement. MOUs communicate the mutually accepted expectations of all of the parties involved.
petition appeal	Submission to a county office of education or the State Board of Education of a charter school petition that was initially submitted to and denied by a school district.
petition review team	District or county office staff or consultant, with expertise in various areas of TK-12 education, assigned to review a charter school petition.
petitioner	Person or persons submitting an application, or petition, to open a public charter school.
renewal petition	Submission of documents as required by law to renew an existing charter school.
SBE	State Board of Education
SELPA	Special education local plan area

Signature: 
Email: nmcchesney@cccoe.k12.ca.us


Signature: 
Email: kwarren@cccoe.k12.ca.us

Signature: 
Mere Parkhurst (Dec 4, 2025 12:14:38 PST)
Email: mparkhurst@cccoe.k12.ca.us


Signature: 
Tom Scruggs (Jan 20, 2026 15:49:59 PST)
Email: tscruggs@cccoe.k12.ca.us

Signature: 
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Signature: 
Email: ltsui@cccoe.k12.ca.us

Signature: 
Email: mquan@cccoe.k12.ca.us

Signature: 
Email: KHayes@cccoe.k12.ca.us

Signature: 
Email: bburns@cccoe.k12.ca.us

Signature: 
Heidi Andrews (Jan 7, 2026 07:59:56 PST)
Email: HAndrews@cccoe.k12.ca.us

APPENDIX B



Contra Costa County Office of Education

77 Santa Barbara Road, Pleasant Hill, CA 94523 • (925) 942-3388
Lynn Mackey, Superintendent of Schools

January 13, 2026

TO: Shawn Benjamin, Executive Director and Lead Petitioner, Invictus Academy of Richmond

FR: Neil McChesney, CCCOE Coordinator of Charter School Oversight

CC: Lynn Mackey, CCC Superintendent of Schools

RE: IAR 2025 Charter Renewal Petition – Questions from CCCOE Review Team

On December 4th, 2025 the Contra Costa County Office of Education ("CCCOE") received a complete charter renewal petition for Invictus Academy of Richmond ("IAR"). The CCCOE immediately convened a charter petition review team and commenced with the review process. The review team has compiled herein a list of questions and/or requests for additional information that have arisen thus far in said review.

IAR is requested to provide detailed responses. Feel free to attach additional documentation and/or supporting evidence as needed and applicable. You are also encouraged to reach out if you have questions or concerns. Note that all page references below are page numbers in the PDF that was submitted.

Please submit your completed response directly to Neil McChesney, Coordinator of Charter School Oversight via email (nmcchesney@cccoe.k12.ca.us) no later than Friday, January 23rd.

English Learners

1. If IAR has a current English Learner Master Plan or related organizational policy/manual, please provide a copy.
2. Please confirm that the reporting timeframe for Summative ELPAC results, addressed on page 84, complies with current State regulations. Specifically, the charter's practice should match the guidance found in the ELPAC Information Guide: "State regulations require local educational agencies (LEAs) to provide individual Summative English Language Proficiency Assessments for California (ELPAC) or Summative Alternate ELPAC results to parents/guardians within 30 calendar days after the LEA receives them from the testing contractor (California Code of Regulations Title 5 Section 11518.15(c)). If the Summative ELPAC or Summative Alternate ELPAC results are received from the test contractor after the school's last day of instruction in the school year, the LEA shall notify each student's parent/guardian of the student's results within 15 working days of the start of the next school year (5 CCR Section 11518.15)."
3. Current state policies and language in the ELA/ELD framework require that Integrated ELD be provided (i.e. using both ELD standards and content standards together to ensure students have the language supports to access content standards while building language proficiency) in addition to Designated ELD as part of a comprehensive ELD program. Given that the

“Integrated ELD” nomenclature is absent from the section of the IAR petition addressing “Instructional Supports for English Learners” on page 84, please confirm that your use of SDAIE strategies fulfills this requirement.

4. The IAR petition affirms alignment with the reclassification procedures and parameters in Education Code, however Criterion 1 on page 86 does not include students who take the Summative Alternate ELPAC and receive an overall Level 3. Please confirm that the Alternate ELP Criterion will be incorporated.
5. Please confirm that the IAR English Learner Advisory Council (“ELAC”) also fulfills the specific and distinct requirements of the District English Learner Advisory Council (“DELAC”).

Measurable Student Outcomes

6. The LCAP submitted as an Appendix with the IAR petition was the 24-25 LCAP. Please confirm that this was a mistake and that the 25-26 LCAP should be referenced instead. In addition, please verify where all IAR LCAPs and updates (both current and past) are posted for public view on the IAR website as required by Education Code 47606.5(i).

Student Suspension and Expulsion Procedures

7. Identify any specific areas in which the IAR Suspension and Expulsion policy deviates from Education Code 48900 (as suggested on pg. 129 – “largely consistent”) and the respective rationale for each deviation.

Financial and Administrative Plan

8. The appendix entitled “Facility Use Agreement” shows increasing annual facility use fees, however the IAR multiyear projections show flat cost. Please explain why the increasing costs are not reflected in the MYP and/or provide assurances that this oversight will be corrected.

Charter Term Performance Data

9. Please confirm the following labeling errors have been correctly assessed:
 - a. Page 19 – the table entitled “Invictus’ 2024 student group math DFS performance compared to the state” should read 2025.
 - b. Page 29 – the table entitled “2024 schoolwide & student group CCI: Invictus, high schools” should read 2025.
 - c. Page 29 – the table entitled “2025 schoolwide & student group ELA growth: Invictus, middle schools” should read 2024.
 - d. Page 30 - the table entitled “2025 schoolwide & student group math growth: Invictus, middle schools” should read 2024.
10. The IAR petition provides comparative district analysis starting on page 25. While the renewal considerations stipulated in Education Code point explicitly to a State comparison, the charter may exercise the ability to provide additional contextual information for the authorizing body to review. This being said, such district comparisons should be made

between student outcomes at like grade levels to avoid misleading or erroneous interpretations. IAR has the data to breakdown performance of its middle school students and high school students and make “apples to apples” comparisons with the designated WCCUSD schools and is invited to provide that data in this response.

11. The State Board of Education approved the inclusion of Advanced Placement (AP) course passage with a grade of C- or better as an additional criterion used to calculate the College and Career Indicator for the 2025 California School Dashboard. Based on this updated calculation, the IAR CCI performance actually decreased significantly between the 2024 and 2025 Dashboards. What is IAR’s self-assessment of this data and how will this inform your work going forward?
12. While two years of data is insufficient for empirical trend analysis, what is IAR’s self-assessment of the drop in graduation rate for 2025?
13. The only numerically significant subgroup to see an increase in suspensions for the 2025 IAR Dashboard was students with disabilities. This is also the highest rate of suspension among numerically significant subgroups. What is IAR’s self-assessment of this data and how will this inform your work going forward?

APPENDIX C



January 23, 2026

Via Email Delivery

Neil McChesney
CCCOE Coordinator of Charter Oversight
Contra Costa County Office of Education
77 Santa Barbara Road, Pleasant Hill, CA 94523

RE: Invictus Academy of Richmond Response to Questions from CCCOE Review Team

Dear Mr. McChesney:

As the Executive Director for Invictus Academy of Richmond (“IAR,” or the “Charter School”), I received the Contra Costa County Office of Education (“CCCOE”) Review Team’s questions (“Questions”) regarding IAR’s charter renewal petition (“Petition”) which were provided by your office on January 13, 2026.

IAR’s Petition included a letter of intent stating, “Invictus pledges to work cooperatively with...CCCOE...to answer any questions regarding this charter petition and to present the [Contra Costa] County Board [of Education] with the strongest possible renewal proposal for a five year term from July 1, 2026, through June 30, 2031” (pg. 4).

Consistent with the commitment outlined above, please find IAR’s response to the Questions. In addition to this response, we look forward to any additional feedback or questions that may come from your office or from members of the Contra Costa County Board of Education. We will respond to any additional inquiries promptly.

Below I have identified the relevant item from the Questions and IAR’s response to each item.

Should you or your team have any further questions or desire clarification regarding these responses, please do not hesitate to contact me. IAR continues to desire to work cooperatively with CCCOE to ensure our Petition is renewed and that we can, as quickly as possible, all return to serving students and families in our community.

Item 1: If IAR has a current English Learner Master Plan or related organizational policy/manual, please provide a copy.

IAR response to Item 1: IAR’s policies regarding English Learners (“EL”) are not currently organized as an English Learner Master Plan. IAR’s current practices regarding ELs are described below, with relevant policies linked as well as references to the Petition.

EL Identification, Program Placement, and Reclassification

Since IAR starts serving students in 7th grade, most ELs arrive having been identified by their previous school, provided they attended public school in California. In addition, for students for whom IAR is their first public school in California, English Learners are identified through the administration of the Home Language Survey at enrollment and initial assessment using the California English Language Proficiency Assessment for California ("ELPAC"), in accordance with state and federal requirements, as described starting on page 82 of the Petition. In addition, Invictus has a Board approved policy ([Exhibit #1](#)) that reiterates EL identification, reclassification, and Reclassified Fluent English Proficient ("RFEP") progress monitoring procedures. This policy is currently being updated to reflect the reclassification criterion for students completing the alternate ELPAC.

Regarding academic programming, ELs are placed in a structured English Language Development ("ELD") program. All ELs receive Integrated and Designated ELD instruction. IAR offers an ELD 1 and ELD 2 course for the students who are furthest from proficiency, so that they receive additional support to improve their fluency. All families of English learners are annually notified of their child's EL classification, their right to opt out of EL services, and families are asked to provide input on program placement using this template ([Exhibit #2](#)), which was developed using a template from CDE's website. There is a separate template for students who take the alternate exam. When students are newly classified as English Learners, families and students also receive notice at that time. English Language Development programming is also described on page 16 of IAR's current LCAP (<https://www.invictusofrichmond.org/lcap>).

Due to the high percentage of ELs at IAR, all teachers have English Learner Authorization. Per ESSA sections 1112(e)(1)(A) and (B) "Four-Week Letter" notifications are sent to families if a student has been assigned or has been taught for four or more consecutive weeks by a teacher who does not meet the applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned. In addition, at the beginning of each school year, IAR notifies parents and guardians they may request, and IAR will provide on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers.

EL Progress Monitoring

Student progress is monitored through multiple, ongoing measures, including Initial and Summative ELPAC results, domain-level ELPAC performance data, classroom-based formative, summative, and interim assessments, course performance (e.g. grades), attendance trends, NWEA Measures of Academic Progress ("MAP") scores, California Assessment of Student Performance and Progress ("CAASPP") results, and educator observations. These data are reviewed collaboratively by teachers, the Director of Multi-Tiered Systems of Support ("MTSS"), and the instructional leadership team to identify student strengths, monitor growth in English language development, and determine whether instructional supports are appropriately aligned to students' linguistic and academic needs. When an English Learner is not making expected progress toward English language proficiency or academic benchmarks, the student is supported through IAR's Multi-Tiered System of Supports. This is described in the Petition

starting on page 72. This is also described on page 46 of IAR's LCAP. In alignment with the EL Roadmap's emphasis on equity and appropriate identification, through the MTSS process staff intentionally distinguish between second-language acquisition needs and potential learning differences to ensure English Learners are not inappropriately referred to special education based solely on English proficiency. Progress monitoring data are also reviewed in aggregate, along with Dashboard performance, and used to regularly evaluate the effectiveness of the program and to make programmatic adjustments. For example, expanding ELD to two sections, which allowed for a division of levels 1 and 2, was a responsive decision IAR made based on data and improved understanding of student needs.

Professional Development

Professional development ("PD") is intentionally designed to build staff capacity to deliver high-quality, integrated instruction that accelerates English language development while ensuring access to grade-level academic content. PD is aligned to the California English Learner Roadmap, IAR's instructional priorities, and is differentiated to meet the needs of both general education and Designated ELD instructors.

All instructional staff participate in ongoing professional learning focused on evidence-based strategies for supporting English Learners, including Integrated and Designated ELD, language objectives aligned to content standards, academic discourse, scaffolding techniques, and culturally and linguistically responsive pedagogy. Teachers are trained to analyze multiple data sources - including ELPAC results, CAASPP and MAP results, course performance, and classroom-based evidence - to inform instructional planning and identify students who require additional support.

Professional development is embedded throughout the school year through staff meetings, instructional coaching, collaborative planning, and targeted training. These sessions emphasize practical application, such as lesson design that incorporates explicit language instruction, structured opportunities for student talk, and strategic use of supports (e.g., sentence frames, vocabulary development, and visual scaffolds). Teachers are also supported in adapting instruction for Long-Term English Learners and newcomers, ensuring alignment between classroom instruction and individual student language proficiency levels.

School leaders use classroom observations and data reviews to monitor the implementation of EL strategies and to tailor follow-up PD accordingly. This continuous improvement cycle ensures professional learning is responsive to student outcomes and instructional needs. Through sustained, data-driven professional development, school leaders ensure educators are equipped to meet the linguistic, academic, and social-emotional needs of English Learners and to support their progress toward English proficiency and academic achievement. Professional development is referenced on pages 84 and 85 of the Petition specifically in regards to specific examples of PD to support ELs and more broadly starting on page 87 of the Petition.

Family Engagement

Staff ensure that families of English Learners have timely access to information, opportunities for input, and the support necessary to engage meaningfully in their child's education. Communication is provided in families' primary language. Translation services are available for meetings, conferences, and school events. Families receive information about EL identification, program placement, progress monitoring, and reclassification criteria during enrollment and at designated points throughout their educational journey. Staff proactively communicate changes in EL status and instructional support. IAR offers meetings to support families' understanding of language development, academic expectations, assessment systems, and pathways to reclassification, graduation, and postsecondary success. Families are encouraged to provide feedback through surveys, meetings, and advisory groups. School leaders and staff use this feedback to inform instructional planning, program improvements, and family engagement strategies. Families also can participate in IAR's family advisory council and ELAC, and play an active role in school-based decisions that impact their students, such as providing feedback on the LCAP. Family engagement is an important part of IAR's program and is described beginning on page 101 of the Petition. It is also in the LCAP on page 41. Per IAR's Board bylaws, submitted in the petition appendices, one seat on the board is always dedicated to a family representative. Currently, the family representative is also the parent of an English Learner.

Recognizing Multilingualism

Staff recognize multilingualism as a valuable asset that enriches students' academic development, cultural identity, and future college and career opportunities. IAR affirms that students' home languages, cultural backgrounds, and lived experiences are integral to their learning and sense of belonging, and these are intentionally leveraged to support rigorous academic achievement and social-emotional growth. One way in which IAR celebrates multilingualism is with the state seal of biliteracy ("SSB"). Staff utilize the CDE provided SSB eligibility tracker (<https://www.cde.ca.gov/sp/ml/sealofbiliteracy.asp>) to identify students for this important recognition and students receive a special seal to affix to their diploma. This is described more on page 40 of the LCAP.

Item 2: Please confirm that the reporting timeframe for Summative ELPAC results, addressed on page 84, complies with current State regulations.

IAR response to Item 2: IAR's reporting timeframe for the ELPAC (initial, summative, and alternate versions of both assessments) results complies with current state regulations. The charter petition states, on page 83, that "Invictus will notify all parents of the Charter School's responsibility for ELPAC testing and of ELPAC results within thirty (30) days of receiving results from the publisher." Further, if the Summative ELPAC or Summative Alternate ELPAC results are received after the last day of instruction in the school year, IAR shall notify each student's parent/guardian of the student's results within 15 working days of the start of the next school year.

Item 3: Current state policies and language in the ELA/ELD framework require that Integrated ELD be provided (i.e. using both ELD standards and content standards together to ensure students have the language supports to access content standards while building language proficiency) in addition to Designated ELD as part of a comprehensive ELD program. Given that the “Integrated ELD” nomenclature is absent from the section of the IAR petition addressing “Instructional Supports for English Learners” on page 84, please confirm that your use of SDAIE strategies fulfills this requirement.

IAR response to Item 3: IAR confirms its use of SDAIE strategies, along with other instructional practices detailed in the referenced section and throughout Element 1 of the Petition, fulfill the requirement that Integrated ELD be provided.

Item 4: The IAR petition affirms alignment with the reclassification procedures and parameters in Education Code, however Criterion 1 on page 86 does not include students who take the Summative Alternate ELPAC and receive an overall Level 3. Please confirm that the Alternate ELPAC Criterion will be incorporated.

IAR response to Item 4: IAR confirms that the Alternate ELPAC criterion will be incorporated into its reclassification procedures. While IAR has not yet had a student qualify for the Alternate ELPAC, the updated English Learner reclassification policy incorporating the Alternate ELPAC criterion will be presented to the IAR Governing Board (“Board”) for approval on January 28, 2026.

Item 5: Please confirm that the IAR English Learner Advisory Council (“ELAC”) also fulfills the specific and distinct requirements of the District English Learner Advisory Council (“DELAC”).

IAR response to Item 5: IAR confirms the ELAC also fulfills the specific and distinct requirements of the DELAC, to the extent they are applicable to charter schools.

Item 6: The LCAP submitted as an Appendix with the IAR petition was the 24-25 LCAP. Please confirm that this was a mistake and that the 25-26 LCAP should be referenced instead. In addition, please verify where all IAR LCAPs and updates (both current and past) are posted for public view on the IAR website as required by Education Code 47606.5(i).

IAR response to Item 6: IAR mistakenly submitted the 2024-25 LCAP. The 25-26 LCAP, as well as all IAR LCAPs and updates can be viewed on our website here: <https://www.invictusofrichmond.org/lcap>

Item 7: Identify any specific areas in which the IAR Suspension and Expulsion policy deviates from Education Code 48900 (as suggested on pg. 129 – “largely consistent”) and the respective rationale for each deviation.

IAR response to Item 7: As a charter school, IAR's suspension and expulsion processes are primarily governed by Education Code section 47605(c)(5)(J), which establishes the minimum procedural requirements for providing notice and due process to students and families in disciplinary matters. While charter schools are not legally required to adopt the comprehensive procedural framework set forth in Education Code section 48900 et seq., which applies to traditional public school districts, IAR has chosen to substantially model the policies in Element 10 of the Petition on these statutory provisions. This decision serves multiple purposes: it ensures procedural consistency and continuity with neighboring school districts from which IAR receives students and to which IAR students may transfer, thereby facilitating smoother transitions for families; it adopts established standards that reflect reasonable and tested procedures for providing adequate notice and due process protections to students facing suspension or expulsion; and it demonstrates IAR's commitment to maintaining disciplinary practices that align with widely recognized legal and educational standards.

However, IAR's Element 10 does deviate from certain provisions of Education Code section 48900 et seq. in specific, intentional ways. These deviations are designed to provide IAR with additional flexibility in conducting investigations and making initial disciplinary determinations, to allow for more individualized responses to student misconduct based on the particular facts and circumstances of each case, and to account for the operational and resource constraints charter schools face compared to traditional school districts with larger administrative structures and support systems. The specific areas of deviation and the rationale for each are as follows:

- Education Code section 48900.5 generally requires suspension shall not be imposed as a disciplinary consequence unless the school has first attempted other means of correction and those alternative interventions have failed to address the student's misconduct, except in cases involving certain serious offenses. While IAR is committed to implementing tiered intervention strategies and exploring alternative means of correction as the preferred first response to student misconduct, IAR's suspension and expulsion policy preserves broader administrative discretion to impose suspension even when dealing with a first offense or when alternative interventions have not yet been exhausted. This flexibility allows administrators to respond appropriately when the severity, nature, or safety implications of a particular incident warrant a more serious initial response, rather than being bound to a rigid sequence of interventions that may not adequately address the immediate circumstances.
- Education Code section 48903 establishes a statutory cap limiting the total number of days for which a student may be suspended during a single school year to twenty school days. IAR does not incorporate this maximum suspension limit into its policies. This deviation provides IAR administrators with the ability to impose longer cumulative periods of suspension when necessary to address ongoing behavioral concerns, protect campus safety, or allow sufficient time for thorough investigation and determination of appropriate next steps, particularly in complex cases where the statutory twenty-day limit

might prove insufficient to adequately address serious or repeated misconduct while maintaining a safe educational environment.

- Education Code section 48910 grants individual classroom teachers the authority to suspend students from their classes under certain circumstances, creating a decentralized disciplinary structure in which multiple individuals may exercise suspension authority. IAR has opted instead for a centralized administrative process in which only specifically designated school administrators possess the authority to impose suspension. This deviation is intended to promote consistency, uniformity, and fairness in the application of suspension as a disciplinary consequence by concentrating decision-making authority in the hands of trained administrators who can ensure similar cases are treated similarly, suspensions are appropriately calibrated to the seriousness of the offense and the student's disciplinary history, and the exercise of this significant disciplinary authority is subject to appropriate oversight and regulation, rather than varying based on individual teacher judgment or classroom management approaches.
- Education Code section 48915(a)(1)(E) classifies the unlawful possession of not more than one avoirdupois ounce of marijuana (other than concentrated cannabis), as a mandatory recommendation for expulsion offense. IAR treats all offenses involving the **possession** of controlled substances, including those that would trigger mandatory expulsion recommendations under the Education Code, as discretionary rather than mandatory expulsion offenses. This policy choice provides administrators and the Board with the flexibility to consider the full context of each case, including the student's age, intent, prior disciplinary record, and surrounding circumstances, and to pursue alternative interventions such as counseling, substance abuse education, restorative practices, or other supportive measures that may better serve the student's educational interests and long-term wellbeing before resorting to the severe consequence of removing the student from the school community entirely.
- Education Code section 48919 establishes an administrative appeals process that allows families to appeal a school district governing board's decision to expel a student to the county board of education within thirty days following the expulsion decision, providing an additional layer of review beyond the district level. IAR does not maintain an expulsion appeal procedure equivalent to this statutory framework. Under IAR's policy, the decision of the Board to expel a student is final. This deviation reflects the governance structure of charter schools, which operate as independent local educational agencies with their own governing boards that serve as the final decision-making authority for the specific charter school, and acknowledges the practical reality that charter schools do not have access to the same county-level oversight infrastructure that exists for traditional school districts, making the implementation of a parallel appeals process operationally challenging and potentially inconsistent with charter schools' autonomous governance model.

Item 8: The appendix entitled “Facility Use Agreement” shows increasing annual facility use fees, however the IAR multiyear projections show flat cost. Please explain why the increasing

costs are not reflected in the MYP and/or provide assurances that this oversight will be corrected.

IAR response to Item 8: IAR will ensure multi-year projections (“MYP”) are updated to address this item. The current lease runs through the end of the 2027-28 school year and the per square foot cost increases by \$0.10 each school year. For 2026-27 and 2027-28, the per square foot cost is \$5.40 and \$5.50, respectively. IAR does not have a lease covering the 2028-29 school year, but this school year is part of the MYP. IAR used a cost of \$5.60 per square foot as an estimate for this school year. Due to accounting procedures communicated to IAR by its back office services provider, the revised MYP will show a flat cost of \$5.50 per square foot for each year (the average cost across the three years), which results in a projected annual facility use fee of \$213,840.00. Over the course of the three years in the MYP, this projected cost will equal the cost of using \$5.40, \$5.50, and \$5.60 for each progressive school year, as shown in the tables below.

Total Facility Cost Using Increasing Fee	
School Year	Facility Use Fee
2026-27	\$209,952 = \$5.40 x 38,880
2027-28	\$213,840 = \$5.50 x 38,880
2028-29*	\$217,728 = \$5.60 x 38,880
3-year total	\$641,520

Total Facility Cost Using Constant Fee	
School Year	Facility Use Fee
2026-27	\$213,840
2027-28	\$213,840
2028-29*	\$213,840
3-year total	\$641,520

*Estimated using a per square foot rate of \$5.60

Item 9a: Page 19 – the table entitled “Invictus’ 2024 student group math DFS performance compared to the state” should read 2025.

IAR response to Item 9a: This is correct - the referenced table should read 2025.

Item 9b: Page 29 – the table entitled “2024 schoolwide & student group CCI: Invictus, high schools” should read 2025.

IAR response to Item 9b: This is correct - the referenced table should read 2025.

Item 9c: Page 29 – the table entitled “2025 schoolwide & student group ELA growth: Invictus, middle schools” should read 2024.

IAR response to Item 9c: This is correct - the referenced table should read 2024.

Item 9d: Page 30 - the table entitled “2025 schoolwide & student group math growth: Invictus, middle schools” should read 2024.

IAR response to Item 9d: This is correct - the referenced table should read 2024.

Item 10: The IAR petition provides comparative district analysis starting on page 25. While the renewal considerations stipulated in Education Code point explicitly to a State comparison, the charter may exercise the ability to provide additional contextual information for the authorizing body to review. This being said, such district comparisons should be made between student outcomes at like grade levels to avoid misleading or erroneous interpretations. IAR has the data to breakdown performance of its middle school students and high school students and make “apples to apples” comparisons with the designated WCCUSD schools and is invited to provide that data in this response.

IAR response to Item 10: Please see the attached data analysis ([Exhibit #3](#)), which shows relevant metrics from the Petition. In the attached analysis, IAR’s data is disaggregated between middle school (grades 7 and 8) and high school (grades 9-12). Also, this analysis is not applicable for the following indicators that are included in the Petition:

- Middle School only indicators:
 - Chronic Absenteeism
 - ELA Growth
 - Math Growth
- High School only indicators:
 - College/Career Indicator
 - Graduation Rate
 - UC/CSU eligibility rate

Further, while some of the data can be separated between middle and high school grades, the disaggregated results may be calculated in a manner different from the methodology used on the Dashboard or the disaggregation may require the use of non-publicly available data. While this results in disaggregated data by grade span, for some data points it is not the full “apples to apples” comparison referred to by CCCOE in this item

- The disaggregated ELA and Math Distance From Standard (“DFS”) is derived from the CAASPP average scale scores for respective grades displayed at the below website:
 - <https://caaspp-elpac.ets.org/caaspp/>
- The disaggregated ELPI is derived using student level data from TOMS, which is not publicly available.
- The ELPI for Long-Term English Learners (“LTEL”) cannot be disaggregated from the TOMS data given the differences between how CALPADS identifies LTELs and how the Dashboard identifies LTELs. This is demonstrated by the fact that TOMS shows the number of LTELs at 44 while the Dashboard shows the number of LTELs at 63.

Item 11: The State Board of Education approved the inclusion of Advanced Placement (AP) course passage with a grade of C- or better as an additional criterion used to calculate the College and Career Indicator for the 2025 California School Dashboard. Based on this updated calculation, the IAR CCI performance actually decreased significantly between the 2024 and 2025 Dashboards. What is IAR’s self-assessment of this data and how will this inform your work going forward?

IAR response to Item 11: The entire Class of 2024 at IAR was required to take an AP class as that was the only option for specific upper level (11th and 12th grade) courses (e.g. in 12th grade the only English class available was AP Literature and Composition and all 12th graders must take an English class to graduate). IAR also requires students to earn a C- or higher to pass a class. This means every member of the Class of 2024 who met IAR’s standard graduation requirements passed an AP class with a C- or higher.

When the State Board of Education’s new criterion was put in place for the 2025 Dashboard, many Class of 2024 graduates shifted to "Prepared" on the 2024 Dashboard, creating a new, higher 2024 baseline that was used as a comparison for the 2025 graduates.

Based on scheduling shifts, such as offering non-AP class options for specific subjects and grade levels (in addition to the AP option), the entire Class of 2025 did not have to take an AP class in order to graduate. Following the experience of its first graduating class, IAR decided that an “AP for all” model was not best for serving all students. This shift resulted in the 2025 CCI decreasing based on this change in scheduling - all of which was done prior to the changes in Dashboard criterion being finalized.

Going forward, to increase students’ preparedness for college and other postsecondary options, as well as the CCI, IAR is seeking to expand access to AP courses across additional subjects. In addition, IAR is exploring additional pathways for students to meet the CCI, including a CTE pathway.

Item 12: While two years of data is insufficient for empirical trend analysis, what is IAR’s self assessment of the drop in graduation rate for 2025?

IAR response to Item 12: IAR's self assessment of the drop in graduation rate is summarized below. This analysis also reveals a tension inherent in IAR's high expectations, as manifested in its graduation requirements, and IAR's desire to serve the Richmond community, which means enrolling students throughout high school - even those who may enter IAR already behind in their progress toward graduation prior to IAR's more rigorous expectations being applied. This tension point is further detailed below the data analysis and additional context regarding IAR's graduation rate is also provided in this response.

The primary reason for the drop in graduation rate at IAR in 2025 was due to the fact that the Class of 2025 had a higher percentage of students who enrolled at IAR after 9th grade, and therefore did not graduate within four years, compared to the Class of 2024, as shown below.

Years of Enrollment in Grades 9-12 at IAR

Metric Related to On Time Graduation	Class of 2024	Class of 2025
Number of students who did not graduate on time	4	9
Average years at IAR for students who did not graduate on time	2.8	2.2
Average years at IAR for students who graduated on time	3.9	3.6
Average years at IAR for all 12th graders	3.8	3.4

As shown above, students who did not graduate on time in the Class of 2025 averaged 0.6 (more than one-half) fewer school years at IAR compared to those who didn't graduate on time in the prior class. For students who did graduate on time, their average enrollment at IAR was 1.1 more years for the Class of 2024 and 1.4 more years for the Class of 2025. The Class of 2025 overall saw more students transfer to IAR after the start of high school, as evidenced by the final data point showing a difference of 0.4 school years of enrollment at IAR between the Class of 2024 (averaged 3.8 school years of enrollment at IAR) compared to the Class of 2025 (which only averaged 3.4 school years of enrollment).

The above data does not look at the time students were enrolled in IAR's middle school grades, but that analysis can be provided.

As IAR provides additional context below regarding its graduation rate, it is important to note the following related to the above data:

- Of the four students in the Class of 2024 who did not graduate on time, three of them graduated with the Class of 2025.
- Of the nine students in the Class of 2025 who did not graduate on time, six of them are still enrolled in high school and anticipated to graduate with the Class of 2026.

Additional context regarding IAR's graduation rate: Graduation Rate is the one Dashboard indicator at IAR that declined from 2024 to 2025, compared to the other six indicators, which all improved. Despite this decline, IAR's graduation rate was still above the West Contra Costa Unified School District average, and above the rate achieved by all three comparison high schools where IAR students are most likely to attend.

As noted, the graduation rate reveals a tension between IAR's high expectations, which include establishing graduation requirements aligned with the UC/CSU eligibility requirements, and the desire to serve the entire Richmond community, which has resulted in IAR enrolling students after the start of high school. This enrollment practice provides students a strong educational option whenever they decide IAR is the school for them. However it also can present challenges for transfer students coming to IAR from other high schools, especially with respect to an on time graduation. IAR knows this is a potential challenge for students, as well as for IAR, but also believes IAR is a place where students can succeed regardless of when they enroll.

The challenge caused by transfers is that most traditional public high schools do not align their graduation requirements to the UC/CSU eligibility requirements as IAR does. They typically align graduation requirements with those set forth in the Education Code for traditional public schools. This allows students in traditional public high schools to pass classes and earn credits toward graduation with an overall grade of a D. If a student transfers to IAR, that D turns into a "no credit," and the student would have to retake the class at IAR, earning at least a C-, in order to graduate. If a student arrives at IAR with a number of classes still to complete retroactively to meet IAR's graduation requirement, this can delay the timing of their graduation.

Even though not every senior at IAR graduated on time, IAR continues to work with those who still need to earn their high school diploma. This extra work includes summer school and even a fifth year of high school. IAR has its third cohort of seniors now, as the Class of 2026, and the support for seniors to ensure they graduate gets better each year.

Item 13: The only numerically significant subgroup to see an increase in suspensions for the 2025 IAR Dashboard was students with disabilities. This is also the highest rate of suspension among numerically significant subgroups. What is IAR's self-assessment of this data and how will this inform your work going forward?

IAR response to Item 13: IAR's self-assessment of the suspension data for students with disabilities ("SWD") and how it will inform our work going forward is summarized below. In addition, while the suspension rate for this student group did increase in 2025, the increase is a result of suspensions increasing by just two students. On the 2024 Dashboard the SWD suspension rate was 11.3%, or nine students suspended out of 80 total SWD. For the 2025 Dashboard, that rate increased to 13.1%, or eleven suspended students out of 84 total SWD.

Using this data in the current school year and moving forward, the suspension rate for SWD indicates a need for more targeted and consistent behavioral supports aligned to students' individualized needs. While overall suspension rates have declined, the increase for students with disabilities, as well as the overall suspension rate, highlight gaps in early intervention, alignment between classrooms and the Dean's Office, and staff capacity to consistently implement accommodations so students are able to fully engage in learning.

In support of all students, IAR is increasing the use of alternate means of correction for first-time and lower-level offenses, expanding restorative protocols, and using systems such as the Dean's List to monitor patterns and ensure more timely intervention. The decline in overall suspension rates, and for almost all student groups, is evidence these practices have been effective.

Suspension rates along with other data points have directly informed staffing, professional development, and systems improvements. For the 2025–2026 school year, IAR has restructured its Dean's Office staffing to include a staff member responsible for coordinating restorative justice and overseeing restorative processes, supporting students who require additional social-emotional and behavioral intervention. IAR has also prioritized analysis of students with disabilities' academic and social-emotional data during its January 5, 2026 all staff data day to identify strategies that increase access and engagement on campus. As outlined in IAR's LCAP, Invictus is increasing professional development focused on special education instruction, accommodations, instructional aide support, data-driven instruction, and the implementation of positive behavior systems. With these adjustments in place, Invictus is currently trending toward a lower suspension rate for all students, as well as for students with disabilities specifically, compared to the prior year. IAR will continue to use disaggregated data to guide continuous improvement.

As noted above, I am available to collaborate with you and CCCOE staff. We look forward to our public hearing, as well as any additional feedback or questions regarding our Petition, and to the continued partnership both in this renewal process and into IAR's new term.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Shawn Benjamin', with a stylized 'S' and 'B'.

Shawn Benjamin
Executive Director, Invictus Academy of Richmond

Cc:

Lynn Mackey, CCC Superintendent of Schools
Sarah Parker, Invictus Academy of Richmond Board Chair

Exhibit #1:



Board Policy: EL Classification and Reclassification Policy

Adopted: June 22, 2022

Revision Adopted: March 5, 2025

English Language Learner Identification Process:

Invictus is a 7th-12th grade middle and high school with the majority of students entering Invictus from neighboring schools within WCCUSD. For these students, Invictus adopts the English Language Acquisition status according to CALPADS and cumulative student records.

For students enrolling in a California public school for the first time, the family is given a home language survey as part of the registration process. If the family indicates that the student speaks a language other than English, the student is enrolled in CALPADS with a TBD English Language Acquisition Status and the student is administered the Initial ELPAC to determine their language proficiency within 30 days of initial enrollment.

Reclassification Process:

Invictus Academy follows the reclassification criteria set forth in California *EC* Section 313 and 5 *CCR* Section 11303. Invictus Academy uses the following four criteria to establish reclassification policies and procedures:

Criterion 1: Assessment of English Language Proficiency

- The English Language Proficiency Assessments for California (ELPAC) constitute the required state assessments for English language proficiency (ELP) administered to students whose primary language is a language other than English. EL students who do not have either a Summative ELPAC or Summative Alternate ELPAC score are not eligible to be reclassified, even if they have met other locally-determined criteria.
 - All students with an ELPAC Overall PL 4 should be considered for reclassification.

Criterion 2: Teacher Evaluations

- Teacher evaluations, including, but not limited to, a review of the pupil's curriculum mastery.
 - An eligible student's ELA grade is reviewed and must be passing with a C- or higher to be reclassified. Invictus has a mastery-based grade book so student grades reflect standards based mastery.
 - Teacher qualitative observations are solicited around the student's classroom speaking and listening skills and are considered as well.

Criterion 3: Parent Consultation

- Parental opinion and consultation. Note: Parental consultation and opinion, not consent, is required per EC Section 313 (f)(3). 5 CCR Section 11303 mandates parental involvement through encouragement of the participation of parent(s) or guardian(s) in the school district's reclassification procedure, including seeking their opinion and consultation during the reclassification process, but consent is not required.
 - Letters regarding a student's reclassification eligibility are sent home to parents/guardians and possible reclassification is discussed with parents/guardians. Parent's thoughts and opinions are considered in the final reclassification determination.

Criterion 4: Basic Skills Relative to English Proficient Students

- Comparison of the performance of the pupil in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age, which demonstrates whether the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.
 - A student can demonstrate mastery of basic skills relative to English proficient students through the following:
 - Scoring a 3 or higher on the ELA SBAC
 - Scoring in the 41st percentile or higher on NWEA MAP
 - Score 430 or higher on the PSAT
 - Scoring 480 or higher on the SAT Reading
 - Scoring 19.6 or higher on the ACT Reading
 - Scoring a 3 or higher on an English AP exam

Reclassification Timeline and Procedures:

Reclassification will occur several times throughout the year, whenever updated test scores are received for consideration for criteria one and four.

At each of these points, Invictus will evaluate all students who have earned a 4 on the Summative ELPAC test and determine if they have met the additional requirements for reclassification. Parents will be notified if students have a change in status.

Reclassification will be noted in the local SIS, PowerSchool, and updated in CALPADS.

RFEP Monitoring Procedures:

Reclassified students will be monitored annually for at least 4 years after the reclassification date. This will occur at the same time periods when the school is considering reclassification of current ELs. For example, at the same time that ELs are being evaluated for reclassification in the fall using fall NWEA MAP reading results for students who had previously scored a 4 on the ELPAC, but have not been reclassified yet, an RFEP student's progress will be monitored as well.

The RFEP monitoring will include the following:

- A review of the student's current mastery-based grades in all academic courses, with specialized attention to ELA
- A review of NWEA MAP scores with a lens on achievement and growth
- A review of any other test scores available (SBAC, PSAT/SAT/ACT, AP)

Academic support/interventions for RFEP students who need additional support will be tailored to each student's needs and will be provided through the Invictus's MTSS program.

Exhibit #2:
Invictus Academy of Richmond
Annual Parent Notification Letter

To the parent(s)/guardian(s) of: <<StudentLastName>>, <<StudentFirstName>>

School: Invictus Academy of Richmond

Date: <<Date>>

Testing Grade: <<GradeAssessed>>

Student ID #: <<LocalStudentID>>

Date of Birth: <<DateofBirth>>

Primary Language: <<CEDSLanguageCode>>

Dear Parent(s) or Guardian(s): Your child continues to be identified as an English learner (EL) student. Each year, we are required to assess your child and notify you of your child's English language proficiency level. We must inform you of the language acquisition program options available. From these options you may choose the one that best suits your child (California *Education Code [EC]* Section 310). This letter also identifies the criteria for a student to exit the EL status (20 United States Code [U.S.C.] Section 6312[e][3][A][ii],[vi]).

Language Assessment Results
(20 U.S.C. Section 6312[e][3][A][ii])

Composite Domains	English Language Proficiency Assessments for California (ELPAC) Scale Score	ELPAC Performance Level
Overall	<<OverallScaleScore>>	<<OverallPL>>
Oral Language	<<OralLanguageScaleScore>>	<<OralLanguagePL>>
Written Language	<<WrittenLanguageScaleScore>>	<<WrittenLanguagePL>>

Domain	ELPAC Performance Level
Listening	<<ListeningPL>>
Speaking	<<SpeakingPL>>
Reading	<<ReadingPL>>
Writing	<<WritingPL>>

Your child is participating in an Individualized Education Program (IEP), which is on file: <<SpecialEducationforTesting>>

A description of how your child's program placement will contribute to meeting the objectives of the IEP, if applicable, is identified in the current IEP (20 U.S.C. Section 6312[e][3][A][vii]).

Exit (Reclassification) Criteria
(20 U.S.C. Section 6312[e][3][A][vi])

The goal of language acquisition programs is for EL students to become proficient in English as rapidly as possible and to meet state academic achievement measures. The *[Insert LEA name]* exit (reclassification) criteria are listed below.

Required Criteria (EC Section 313[f])	<i>Invictus Academy of Richmond</i> Criteria
English Language Proficiency Assessment	ELPAC Overall Performance Level 4
Teacher Evaluation	<p>An eligible student's ELA grade is reviewed and must be passing with a C- or higher to be reclassified. Invictus has a mastery-based grade book so student grades reflect standards based mastery.</p> <p>Teacher qualitative observations are solicited around the student's classroom speaking and listening skills and are considered as well.</p>
Parental Opinion and Consultation	<p>Letters regarding a student's reclassification eligibility are sent home to parents/guardians and possible reclassification is discussed with parents/guardians. Parents' thoughts and opinions are considered in the final reclassification determination.</p>
Comparison of Performance in Basic Skills	<p>A student can demonstrate mastery of basic skills relative to English proficient students through the following:</p> <p>Scoring a 3 or higher on the ELA SBAC</p> <p>-Scoring in the 41st percentile or higher on NWEA MAP</p> <p>-Score 430 or higher on the PSAT</p> <p>-Scoring 480 or higher on the SAT Reading</p> <p>-Scoring 19.6 or higher on the ACT Reading</p> <p>-Scoring a 3 or higher on an English AP exam</p>

Graduation Rate for English Learners (20 U.S.C. Section 6312[e][3][A][vi])

The expected rate of graduation for students in this program is 80.77 percent. The graduation rates displayed on the Graduate Data report, is available on the California Department of Education DataQuest web page at <http://dq.cde.ca.gov/dataquest/>.

Choosing a Language Acquisition Program

Parents or guardians may choose a language acquisition program that best suits their child (*EC* Section 310). Language acquisition programs are educational programs designed to ensure English acquisition occurs as rapidly and effectively as possible. They provide instruction to EL students based on the state-adopted academic content standards, including English language development (ELD) standards (20 U.S.C. Section 6312[e][3][A][iii],[v]; *EC* Section 306[c]).

Language Acquisition Programs Offered

We are required to offer, at a minimum, a **Structured English Immersion** program option (*EC* Section 305[a][2]). We also offer the following language acquisition programs:

Structured English Immersion Program: A language acquisition program for EL students in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. At minimum, students are offered designated ELD and provided access to grade level academic subject matter content with integrated ELD.

Parents or guardians may choose a language acquisition program that best suits their child. Schools in which the parents or guardians of 30 students or more per school or the parents or guardians of 20 students or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible (20 U.S.C. Section 6312[e][3][A][viii][III]; *EC* Section 310[a]).

Parents or guardians may provide input regarding language acquisition programs during the development of the Local Control and Accountability Plan (*EC* Section 52062). If interested in a different program from those listed above, please contact *Ms. Shapiro* (510-994-0888) to ask about the process.

Although schools have an obligation to serve all EL students, parents or guardians of EL students have a right to decline or opt their children out of a school's EL program or out of particular EL services within an EL program. If parents or guardians opt their children out of a school's EL program or specific EL services, the children retain their status as EL students and will be assessed annually with the Summative ELPAC. The school remains obligated to take the affirmative steps required by Title VI of the Civil Rights Act of 1964 and the appropriate actions required by the Equal Education Opportunity Act of 1974 to provide EL students access to its educational programs (20 U.S.C. sections 1703[f], 6312[e][3][A][viii]).

Invictus Academy of Richmond

NOTIFICACIÓN ANUAL PARA LOS PADRES

A los padres/tutores de: <<StudentLastName>>, <<StudentFirstName>>

Escuela: Invictus Academy of Richmond

Fecha: <<Date>>

Grado de examen: <<GradeAssessed>>

#ID del Estudiante: <<LocalStudentID>>

Fecha de nacimiento: <<DateofBirth>>

Lengua materna: <<CEDSLanguageCode>>

Estimados padres o tutores: Su hijo sigue clasificado como aprendiz de inglés. Cada año, estamos obligados a evaluar el nivel del dominio de inglés de su hijo y notificarle a usted de los resultados. Estamos obligados a informarle de las opciones de programas de adquisición de idiomas disponibles. De estas opciones usted puede escoger la mejor para su hijo (*Código de Educación* de California [EC*] Sección 310). Este aviso también contiene el criterio para la salida del programa para aprendices de inglés (20 Código de los Estados Unidos [U.S.C.*] Sección 6312[e][3][A][i],[vi]).

Resultados de la evaluación del idioma (20 U.S.C. Sección 6312[e][3][A][ii])

Ámbitos Compuestos	Pruebas del dominio de inglés de California (ELPAC*) Puntuación escalada	ELPAC Nivel de rendimiento
General	<<OverallScaleScore>>	<<OverallPL>>
Lenguaje Oral (Habilidades de comprensión y expresión oral)	<<OralLanguageScaleScore>>	<<OralLanguagePL>>
Lenguaje Escrito (Lectura y escritura)	<<WrittenLanguageScaleScore>>	<<WrittenLanguagePL>>

Ámbito	Nivel de rendimiento
Comprensión auditiva	<<ListeningPL>>
Expresión oral	<<SpeakingPL>>
Lectura	<<ReadingPL>>
Escritura	<<WritingPL>>

Existe un Programa de Educación Individualizado (IEP*) en el cual su hijo está participando: <<SpecialEducationforTesting>>

Se adjunta una descripción de cómo el programa asignado a su hijo cumplirá con los objetivos del IEP actual (20 U.S.C. Sección 6312[e][3][A][vii]).

Criterios para la reclasificación (la salida del programa para aprendices de inglés)
(20 U.S.C. Sección 6312[e][3][A][vi])

El objetivo de los programas de adquisición de idiomas es que los aprendices de inglés logren dominar el inglés lo más antes posible y que cumplan con las medidas de logros académicos estatales. El criterio para la reclasificación en [insert LEA name] es el siguiente.

Criterio general (EC Sección 313[f])	Criterio de Invictus Academy of Richmond
Evaluación del dominio del inglés	Rendimiento general del 4 ^{to} nivel en el ELPAC
Evaluación del maestro	<p>Se revisa la calificación de ELA de un estudiante elegible y debe aprobar con una C- o superior para ser reclasificado. Invictus cuenta con un sistema de calificaciones basado en el dominio, por lo que las calificaciones de los estudiantes reflejan el dominio basado en estándares.</p> <p>Se solicitan observaciones cualitativas del profesorado sobre las habilidades de habla y comprensión auditiva del estudiante en el aula, las cuales también se tienen en cuenta.</p>
Consulta y opinión de los padres	Se envían cartas a los padres/tutores sobre la elegibilidad de reclasificación del estudiante y se discute con ellos la posible reclasificación. Sus opiniones se consideran en la decisión final sobre la reclasificación.
Comparación del desempeño en habilidades básicas	<p><i>Un estudiante puede demostrar dominio de las habilidades básicas en relación con los estudiantes competentes en inglés mediante lo siguiente:</i></p> <ul style="list-style-type: none"> - <i>Obtener una puntuación de 3 o superior en el ELA SBAC</i> - <i>Obtener una puntuación en el percentil 41 o superior en el NWEA MAP</i> - <i>Obtener una puntuación de 430 o superior en el PSAT</i> - <i>Obtener una puntuación de 480 o superior en el SAT Reading</i> - <i>Obtener una puntuación de 19.6 o superior en el ACT Reading</i> - <i>Obtener una puntuación de 3 o superior en un examen AP de inglés</i>

Tasa de graduación escolar de aprendices de inglés
(20 U.S.C. Sección 6312[e][3][A][vi])

La anticipada tasa de graduación para estudiantes en este programa es [Insert graduation rate] por ciento. Se muestra la tasa de graduación en el reporte *Graduation Rate* disponible en la página web (*DataQuest*) en <http://dq.cde.ca.gov/dataquest/> mantenido por el Departamento de Educación de California.

Escoger un programa de adquisición de idiomas

Los padres o tutores pueden escoger el mejor programa de adquisición de idiomas para su hijo (*EC* Sección 310). Los programas de adquisición de idiomas son programas educativos diseñados para asegurar que la adquisición de inglés se logre tan rápida y eficazmente como sea posible. Éstos proporcionan instrucción para aprendices de inglés basados en las normas de la disciplina académica adoptadas por el estado, incluso las normas del desarrollo de inglés (ELD*) (20 U.S.C. Sección 6312[e][3][A][iii],[v]; *EC* Sección 306[c]).

Programas de adquisición de idiomas ofrecidos

Estamos obligados a ofrecer, al mínimo, la opción del programa de **Inmersión Estructurada en Inglés** (*EC* Sección 305[a][2]). También ofrecemos el/los siguiente(s) programa(s) de adquisición de idiomas:

Programa de Inmersión Estructurada en Inglés: Un programa de adquisición de idiomas para aprendices de inglés en donde casi toda la instrucción en el aula se proporciona en inglés, pero con un plan de estudio y una presentación diseñada para los estudiantes que están aprendiendo inglés. Al mínimo, los estudiantes reciben ELD designado y acceso a la disciplina académica apropiada para su nivel de grado usando instrucción de ELD integrado.

Los padres o tutores pueden solicitar el mejor programa de adquisición de idiomas para su hijo. Se requiere que la escuela responda cuando 30 o más padres o tutores de alumnos, o 20 o más padres o tutores de alumnos en cualquier grado soliciten un programa de adquisición de idiomas. Si es posible, se ofrecerá un programa de adquisición de idiomas (20 U.S.C. Sección 6312[e][3][A][viii][III]; *EC* Sección 310[a]).

Los padres o tutores pueden aportar información acerca de los programas de adquisición de idiomas durante la elaboración del Plan de rendición de cuentas con control local (*EC* Sección 52062). Si está interesado en un programa distinto a los mencionados anteriormente, comuníquese con *Ms. Shapiro* (510-994-0888) para preguntar acerca del proceso.

Aunque las escuelas tienen la obligación de servir a todos los aprendices de inglés, los padres o tutores de aprendices de inglés tienen derecho de rechazar u optar que su hijo no participe en un programa o en algún servicio específico para aprendices de inglés que ofrece la escuela. Si los padres o tutores deciden que sus hijos no participarán en un programa o servicio específico para aprendices de inglés, los estudiantes mantienen su clasificación como aprendiz de inglés y la escuela sigue obligado a tomar pasos afirmativas requeridos por el Título VI de la Ley de Derechos Civiles de 1964 a tomar acciones apropiadas requeridas por la Ley de Igualdad de Oportunidad Educativa de 1974 para proveer acceso a programas educativas para aprendices de inglés (20 U.S.C. secciones 1703[f], 6312[e][3][A][viii]).

Exhibit #3:
Additional Data in Response to Item 10

Please see the below data analysis which shows relevant metrics from the Petition for 2025, but disaggregated between middle school (grades 7 and 8) and high school (grades 9-12). Some student group data is not available due to the small size of the specific student population (e.g. African American students and Long-Term English Learners (“LTEL”). These student groups have some schoolwide results for assessments, but do not have a large enough population to produce data for specific grade levels on CAASPP and DFS. Also, LTELs are not displayed as a standalone student group on Dataquest for suspension rate.

2025 MIDDLE SCHOOL COMPARISONS

2025 Middle School ELA DFS

Student Group	IAR	DeJean*	Helms*	Soskin*
All Students	-28.9	-135	-134.8	-92.2
Hispanic	-36.9	-139.4	-141	-114.4
English Learners	-101.5	-156.1	-152	-120.7
Socioeconomically Disadvantaged	-35.2	-136.7	-136.4	-108.8
Students with Disabilities	-107.2	-174.7	-171.9	-116.8

*DeJean - Lovonya DeJean Middle; Helms - Helms Middle; Soskin - Betty Reid Soskin (all in WCCUSD)

2025 Middle School Math DFS

Student Group	IAR	DeJean	Helms	Soskin
All Students	-99.2	-181.6	-151.2	-134
Hispanic	-122.4	-182.7	-155	-157.8
English Learners	-165	-192.6	-163.7	-167.5
Socioeconomically Disadvantaged	-114.4	-182.7	-153.7	-149.2
Students with Disabilities	-182.7	-215.9	-213	-163.3

2025 Middle School ELPI

Student Group	2025			
	Invictus	DeJean	Helms	Soskin

ALL English Learners	40%	21.3%	34.5%	37.3%
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2025 Middle School ELA % Scoring Level 3 + 4 on CAASPP

Student Group	IAR	DeJean	Helms	Soskin
All Students	40.1%	10%	11.16%	19.3%
Hispanic	37.62	9.06%	9.36%	11.18%
English Learners	5.4%	1.53%	1.66%	3.41%
Socioeconomically Disadvantaged	36.45%	9.78%	11.04%	15.41%
Students with Disabilities	10.34%	0%	1.49%	4.76%

2025 Middle School Math % Scoring Level 3 + 4 on CAASPP

Student Group	IAR	DeJean	Helms	Soskin
All Students	16.8%	4.08%	6.64%	11.76%
Hispanic	12.84%	4.52%	5.88%	6.17%
English Learners	4.77%	1.02%	2.04%	1.11%
Socioeconomically Disadvantaged	15.85%	4.21%	6.42%	9.25%
Students with Disabilities	6.89%	0%	1.52%	0%

2025 Middle School Science % Scoring Level 3 + 4 on CAST

Student Group	IAR	DeJean	Helms	Soskin
All Students	14.1%	3.74%	6.33%	9.04%
Hispanic	11.67%	4.26%	4.15%	7.23%
English Learners	5.56%	0%	0.75%	0%
Socioeconomically Disadvantaged	10.2%	3.87%	6.05%	5.88%
Students with	5.88%	0%	0%	0%

Disabilities				
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2025 Middle School Suspension Rate

Student Group	IAR	DeJean	Helms	Soskin
All Students	7.1%	7.8%	14.1%	10%
African American	9.1%	11.3%	18.8%	23.5%
Hispanic	6.7%	7.2%	14.3%	7.7%
English Learners	4.1%	9%	19.2%	4.3%
Socioeconomically Disadvantaged	8.2%	8%	14.3%	10.8%
Students with Disabilities	12.9%	4.7%	15.3%	16.7%

2025 HIGH SCHOOL COMPARISONS

2025 High School ELA DFS

Student Group	IAR	Richmond*	Kennedy*	De Anza
All Students	-11.1	-36.6	-166.5	-42.1
Hispanic	-19.1	-41.6	-159.6	-62.6
English Learners	-100.2	-95.9	-200.1	-115.8
Socioeconomically Disadvantaged	-8.2	-38.6	-155.4	-48.9
Students with Disabilities	-135	-120.4	-226.2	-142.2

*Richmond - Richmond High; Kennedy - John F. Kennedy High (both in WCCUSD)

2025 High School Math DFS

Student Group	IAR	Richmond	Kennedy	De Anza
All Students	-92.6	-145.9	-247.4	-147.6
Hispanic	-103.4	-151.6	-239.6	-167.9
English Learners	-146.1	-192.4	-254.5	-201.4
Socioeconomically Disadvantaged	-96.9	-146.6	-245.5	-152.1
Students with Disabilities	-196.7	-189	-285.3	-208.6

2025 High School ELPI

Student Group	2025			
	Invictus	Richmond	Kennedy	De Anza
ALL English Learners	55.8%	26%	14.8%	19.8%

2025 High School ELA % Scoring Level 3 + 4 on CAASPP

Student Group	IAR	Richmond	Kennedy	De Anza
All Students	41.6%	39.61%	15.69%	36.98%
Hispanic	47.62%	38.08%	17.72%	31.35%
English Learners	16.67%	8.8%	0%	1.85%
Socioeconomically Disadvantaged	46.81%	39.06%	16.85%	34.36%
Students with Disabilities	12.5%	20.59%	N/A	13.33%

2025 High School Math % Scoring Level 3 + 4 on CAASPP

Student Group	IAR	Richmond	Kennedy	De Anza
All Students	25.4%	8.58%	8.82%	12.33%
Hispanic	21.95%	7.97%	8.86%	6.19%
English Learners	18.18%	1.64%	10.64%	3.77%
Socioeconomically Disadvantaged	26.09%	8.56%	8.24%	10.56%
Students with Disabilities	0%	8.82%	N/A	0%

2025 High School Science % Scoring Level 3 + 4 on CAST

Student Group	IAR	Richmond	Kennedy	De Anza
All Students	27.9%	17.54%	1.5%	15.2%
Hispanic	25.6%	16.78%	1.94%	9.26%
English Learners	7.69%	2.21%	0%	0%
Socioeconomically Disadvantaged	27.7%	17.46%	0.93%	14.97%
Students with Disabilities	6.25%	7.89%	0%	0%

2025 High School Suspension Rate

Student Group	IAR	Richmond	Kennedy	De Anza
All Students	8.9%	11.9%	11.3%	4.7%
African American	5.6%	26.8%	19.6%	7.1%
Hispanic	8.6%	11.4%	10.1%	4.8%
English Learners	8.1%	14.3%	10.8%	5.8%
Socioeconomically Disadvantaged	9.7%	12.3%	12.6%	5.1%
Students with Disabilities	12.2%	21.3%	22.9%	7.8%