



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 10.1

Meeting Date: November 21, 2024

Subject: Material Revision to Sol Aureus College Preparatory (“S.A.C. Prep”) Charter Petition

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Deputy Superintendent’s Office

Recommendation:

Sol Aureus College Preparatory (“S.A.C. Prep”) is requesting to add Transitional Kindergarten (TK) to its current charter. If the Board is confident in S.A.C. Prep’s fiscal, governance, and instructional plan to add TK, staff recommends that the Board approve the material revision. If the Board is not confident in S.A.C. Prep’s fiscal, governance, and instructional plan to add TK, staff recommends that the Board deny the material revision and ask S.A.C. Prep to resubmit a formal request for a material revision with additional information if it desires to continue implementing a TK program for the 2025-2026 school year.

Background/Rationale: On September 11, 2024, S.A.C. Prep petitioned the Sacramento City Unified School District (District or SCUSD) to renew its charter. The current charter expires on June 30, 2026. The submitted petition includes language indicating S.A.C. Prep was adding TK to its education program. A review of S.A.C. Prep’s website indicated that it had already begun offering the TK program in the 2024-25 school year. However, S.A.C. Prep did not separately submit a written request for a material revision to its charter to add TK or otherwise state in the renewal petition that it intended for such addition to be treated as a material revision, subject to District Board approval.

The addition of TK to the charter program at S.A.C. Prep was noted in the District’s *Notice of Alleged Governance and Fiscal Concerns and Reasonable Opportunity to Cure* dated October 18, 2024. In addition to the stipulations in law, Sacramento City

Unified Board Policy 0420.41 (adopted by the District's Board in June 2023) clearly describes the requirement to submit a request for a material revision when adding grade levels or making a substantial change to the instructional model. The District's position is that the addition of TK reflects both criteria. S.A.C. Prep was notified of these requirements in September 2023.

Although the standards and criteria in Education Code Section 47605 apply to material revisions, the procedures for addressing material revisions do not. Material revision requests are separate from the consideration of a renewal petition. While it is considered best practice to follow standard protocols outlined in Education Code Section 47605, there are several differences for the authorizing board to consider, including:

1. There is no time limit on the submission of a material revision request or timeframe for a decision.
2. There is no requirement for findings for denial of a proposed material revision; and
3. Material revisions are not deemed to be "granted" if not denied within 60 days.

Ultimately, the Board is the decisionmaker on whether to approve or deny the material revision. The attached sample resolutions are designed to provide the Board with draft language around which to formalize that decision.

Financial Considerations: Review of the fiscal portions of S.A.C. Prep's renewal petition did not reveal any fiscal concerns that would likely result in a change of financial position for either S.A.C. Prep or the District.

LCAP Goal(s): Goal 2: Improving Academic Outcomes

Documents Attached:

1. Sample Resolution Language for Board Consideration
2. [Staff Renewal Report with linked Exhibits](https://www.scusd.edu/charter-renewal) (Linked or available at <https://www.scusd.edu/charter-renewal>)

Estimated Time of Presentation: 10 minutes

Submitted by: Mary Hardin Young, Deputy Superintendent
Amanda Goldman, Director, Innovative Schools

Approved by: Lisa Allen, Superintendent



Sample Resolutions: Material Revision

Sol Aureus College Preparatory
S.A.C. Prep

November 21, 2024

The following are sample resolutions that the board may use in their decision on the material revision to the charter.

They include:

1. [An approval resolution](#), under which the charter would be authorized to expand educational program to offering Transitional Kindergarten
2. [A denial resolution](#), under which the charter school would not be authorized to offer transitional kindergarten at this time.

Items **highlighted in yellow** may need to be adjusted at the time of the meeting based on the charter school's response to the Notice to Cure, due November 19, 2024

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
Resolution No. 3458**

**Resolution to Approve a Material Revision to Sol Aureus College Preparatory's
Charter to Add Transitional Kindergarten**

WHEREAS, the approval of charter schools is governed by the Charter Schools Act of 1992, as subsequently amended, codified in Education Code sections 47600 *et seq.*, and the implementing regulations of Title 5 of the California Code of Regulations (5 C.C.R. § 11960 *et seq.*);

WHEREAS, Sol Aureus College Preparatory (“SAC Prep”) operates an independent charter school authorized by the Sacramento City Unified School District (“District”), which serves students in kindergarten through eighth grade;

WHEREAS, SAC Prep’s current charter term expires on June 30, 2026, but it submitted a petition to renew its charter early on September 11, 2024 (“Renewal Petition”);

WHEREAS, the Renewal Petition refers to the operation of a transitional kindergarten (“TK”) program and, based on information available on SAC Prep’s website, SAC Prep has been implementing a TK program during the 2024-2025 school year;

WHEREAS, Education Code section 47605(a)(4) provides that if a charter school proposes to expand operations to one or more grade levels, it shall request a material revision to its charter to add those additional grade levels, and the chartering authority shall consider whether to approve such request at an open, public meeting;

WHEREAS, SAC Prep did not formally request a material revision to its charter to add a TK program and it did not reflect the addition of TK as a substantive change to its educational program in the Renewal Petition recently submitted to the District;

WHEREAS, despite this omission, the District is treating the addition of the TK program as a request for a material revision to SAC Prep’s charter, which requires the approval of the District’s Board of Education; and

WHEREAS, pursuant to Education Code section 47607, material revisions are governed by the same standards and criteria applicable to petitions to establish charter schools, and must include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

NOW, THEREFORE BE IT RESOLVED, that the Board of Education of the Sacramento City Unified School District does resolve, determine, and order the following:

1. The foregoing recitals are hereby adopted as true and correct.

2. The Board has considered, and approves of, SAC Prep's addition of a TK program as part of its grade-level offerings such that it is now authorized to serve students in TK through eighth grade.
3. The Superintendent or her designee is authorized and directed to take such action as may be reasonably necessary to effectuate the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Board of Education of the Sacramento City Unified School District on November 21, 2024, at a duly noticed meeting by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____

Lisa Allen, Superintendent

Lavinia Phillips, Board President

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
Resolution No. 3458**

**Resolution to Deny a Material Revision to Sol Aureus College Preparatory's
Charter to Add Transitional Kindergarten**

WHEREAS, the approval of charter schools is governed by the Charter Schools Act of 1992, as subsequently amended, codified in Education Code sections 47600 *et seq.*, and the implementing regulations of Title 5 of the California Code of Regulations (5 C.C.R. § 11960 *et seq.*);

WHEREAS, Sol Aureus College Preparatory (“SAC Prep”) operates an independent charter school authorized by the Sacramento City Unified School District (“District”), which serves students in kindergarten through eighth grade;

WHEREAS, SAC Prep’s current charter term expires on June 30, 2026, but it submitted a petition to renew its charter early on September 11, 2024 (“Renewal Petition”);

WHEREAS, the Renewal Petition refers to the operation of a transitional kindergarten (“TK”) program and, based on information available on SAC Prep’s website, SAC Prep has been implementing a TK program during the 2024-2025 school year;

WHEREAS, Education Code section 47605(a)(4) provides that if a charter school proposes to expand operations to one or more grade levels, it shall request a material revision to its charter to add those additional grade levels, and the chartering authority shall consider whether to approve such request at an open, public meeting;

WHEREAS, SAC Prep did not formally request a material revision to its charter to add a TK program and it did not reflect the addition of TK as a substantive change to its educational program in the Renewal Petition recently submitted to the District;

WHEREAS, despite this omission, the District is treating the addition of the TK program as a request for a material revision to SAC Prep’s charter, which requires the approval of the District’s Board of Education; and

WHEREAS, pursuant to Education Code section 47607, material revisions are governed by the same standards and criteria applicable to petitions to establish charter schools, and must include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

NOW, THEREFORE BE IT RESOLVED, that the Board of Education of the Sacramento City Unified School District does resolve, determine, and order the following:

1. The foregoing recitals are hereby adopted as true and correct.

2. The Board has considered the proposed material revision but denies the addition of a TK program to SAC Prep’s grade-level offerings.
3. The Board will permit SAC Prep to continue to operate the current TK program during the 2024-2025 school year to avoid any disruption to educational programming and services to TK students currently enrolled in SAC Prep; however, SAC Prep is not authorized to operate TK beyond the current school year (i.e., after June 30, 2025).
4. Should SAC Prep desire to operate a TK program after June 30, 2025, SAC Prep shall be required to formally submit a written request for a material revision to its charter to the Board for its consideration and approval. The request shall include the following:
 - a. A detailed description of the TK program, consistent with the current understanding of TK that is uniquely designed to meet the developmental, social-emotional, and academic needs of this age group.
 - b. A description of the current TK enrollment, staffing numbers, and staff credential status, as well as anticipated projected student enrollment and staffing for the remaining years of the then-current charter term.
 - c. Financial information, including budget assumptions and budget details, reflecting the anticipated revenues and expenditures associated with the TK program for the current fiscal year and the next two fiscal years.
5. The Superintendent or her designee is authorized and directed to take such action as may be reasonably necessary to effectuate the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Board of Education of the Sacramento City Unified School District on November 21, 2024, at a duly noticed meeting by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____

Lisa Allen, Superintendent

Lavinia Phillips, Board President