



MEMORANDUM

TO: Cassie Parham, Superintendent

FROM: *Various IUSD Departmental Staff and*
Ronald Wenkart & Sara Young

DATE: August 25, 2025

RE: Staff Report: ICIA Charter Petition Material Revision Review

BACKGROUND

The Charter Schools Act of 1992 (“CSA,” Ed. Code, § 47600 *et seq.*), as amended in 2022, provides for persons interested in forming a charter school proposed to be located within the geographical boundaries of a local school district to submit a Charter Petition to that school district’s governing board for consideration upon receipt of a certain number of signatures of either parents/guardians or teachers supporting the proposed charter school.

On or about October 31, 2022, Irvine Chinese Immersion Academy (“ICIA”) submitted a Charter Petition (“Charter Petition”) to the District. The Petitioners submitted the Charter Petition based on gathering the required number of parents/guardians signatures. The Board of Education approved the Charter Petition on February 7, 2023. The Board approved a Memorandum of Understanding (MOU) with ICIA clarifying provisions of the Charter Petition on April 18, 2023.

On or about May 28, 2025, ICIA submitted a Material Revision to the Charter Petition, proposing to expand its program to Grades 6 through 8, beginning July 1, 2026.

As required by the Education Code section 47607, within 60 days of receipt of the Material Revision to the Charter Petition, the District Board held a public hearing on the provisions of the Material Revision to the Charter Petition on July 15, 2025. At the public hearing the Board considered the level of support for the Material Revision to the Charter Petition by teachers employed by the District, other District employees, and parents. (Ed. Code, § 47605(b).)

The requirements for reviewing a Material Revision to a Charter Petition are the same as the requirement for reviewing a Charter Petition. The Board has 90 days from receipt of the Material Revision to the Charter Petition, unless an extension up to 30 additional days is mutually agreed to, to make a decision on whether to grant or deny the Material Revision to the Charter Petition. (Ed. Code, § 47605(b).) This Staff Report provides recommendations to the Board regarding approval or denial, which will be decided by the Board at the Board Meeting on September 9, 2025.

BOARD OF EDUCATION

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LEGAL STANDARD

California Education Code sections 47605 and 47607 set out the statutory requirements for the establishment of charter schools and the approval of material revisions to charter schools. (See also, California Code of Regulations, Title 5, § 11967.5.1.) Education Code section 47605(c)(1)-(5) provides that the governing board of a school district may only deny a Material Revision to a Charter Petition if ***one or more*** of the following findings are made:

1. The Charter School Material Revision 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 Material Revision to the Charter Petition;
3. The Material Revision to the Charter Petition does not contain the number of signatures required by Education Code section 47605(a);
4. The Material Revision to the Charter Petition does not contain an affirmation of each of the conditions described in Education Code section 47605(e);
5. The Material Revision to the Charter Petition does not contain reasonably comprehensive descriptions of all of the elements required by law;
6. The Material Revision to the Charter 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 Material Revision to the Charter School is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate; and/or
8. The school district is not positioned to absorb the fiscal impact of the proposed Material Revision to the Charter School Petition.

At the September 9, 2025 Board Meeting, in light of the information shared at the public hearing, the independent review of the Material Revision to the Charter Petition, and the information in this report, the Board may select one of the following three options:

- **Option 1:** Approve the Material Revision to the Charter Petition
- **Option 2:** Approve the Material Revision to the Charter Petition with conditions, thereby providing a timeline for the District and the Charter School administrators to develop a memorandum of understanding to resolve conditions and concerns with the Charter Petition
- **Option 3:** Deny the Charter Petition

BRIEF OVERVIEW

ICIA has operated as a District authorized charter school for the term beginning July 1, 2023 and approved through June 30, 2028. ICIA operates as a Mandarin language immersion school. At the time it opened, ICIA planned to enroll 258 students in transitional kindergarten through third grade during the 2023-2024 and increase enrollment every year thereafter for a total schoolwide enrollment of 408 students in transitional kindergarten through fifth grade in 2027-2028. The ICIA is now proposing to expand its program to Grades 6 through 8, beginning July 1, 2026.

ICIA is planning a dual language immersion model for Grades 6 through 8 in which the students will receive instruction in English and instruction in Mandarin for some courses. The instruction in each language varies as the student changes grades, with instruction in Mandarin comprising more of the day when the student is younger. There is no requirement for the student population to be comprised of 50% native speakers in the proposed immersion model. As outlined in the Charter Petition, ICIA's founders believe that students master core subjects by applying knowledge in a real-world context, and desire for students to be active participants in their education.

The Material Revision to the Charter Petition meets many of the legal requirements; however, there are areas that are unclear or require modifications due to errors in the Petition, incorrect citations, missing or wrong information, or lack of clarification. As further discussed in this Staff Report, there are concerns with the Charter Petition that should be clarified either through revision of the Petition or through a Memorandum of Understanding. These include, but are not limited to:

- Grade 7 Health Education curriculum pursuant to the California Healthy Youth Act.
- There were different start times for different teachers in the same grade level, which made it difficult to determine if all students/grade levels were meeting the state minimum instructional minutes.
- A clear plan for Grades 6-8 daily, weekly, annual schedules detailing instructional minutes, in compliance with state minimum requirements.
- Instructional examples based on the student's weekly 6 period schedule providing details regarding differentiation, class options, and intervention. Provide a weekly schedule / example of: a typical student, a student with an intervention block, a student with an EL block.
- A plan for facilities that can appropriately house ICIA's school needs. A plan to accommodate the projected growth from 2026-27 through the 2028-29 school year? The school's neighborhood has raised concerns regarding the drawing of students from outside of the neighborhood and the limited available parking. If additional facilities are acquired the budget may need to be adjusted.

- While the Material Revision to the Charter Petition refers to a Board of Directors comprised of three members, the District staff recommends a Board of Directors that is comprised of a minimum of five members.

These concerns are not exhaustive. As demonstrated at the public hearing and in review of the Material Revision to the Charter Petition, there are deficiencies with the Material Revision to the Charter Petition. Through this Staff Report, we provide additional information related to how the ICIA Material Revision to the Charter Petition meets or fails to meet legal requirements.

CHARTER PETITION REVIEW

The Charter School presents an unsound educational program for the pupils to be enrolled in the charter school [Education Code section 47605(b)(1)]:

The description of ICIA's educational program presents a sound educational program if modifications and revisions are made. Specifically: ICIA was asked to provide a comprehensive calendar for a grade levels due to a shift to a year-round schedule, including a list of instructional days, holidays, and breaks. ICIA provided a link to the calendar. The calendar provided only listed the total number of instructional days but not the designated days of instruction, holidays, or breaks. This is insufficient.

ICIA was asked to provide an instructional minute breakdown for grades 3 through 8 that specified the time allocated to each subject area, including Mandarin language immersion, English Language Arts, Math, Science, Social Studies, and Physical Education. ICIA provided a link with instructional minutes, however, the breakdown did not contain the detail requested to determine if state requirements have been met. This is insufficient.

ICIA was asked to provide information regarding its core instructional programs in English Language Arts and Math for grades 6 through 8. The staff questioned whether ICIA has provided sufficient time for daily instruction.

ICIA was asked to provide a model daily and weekly instructional schedule for grades 3 through 8. The staff questioned whether the schedule provided by ICIA allows for differentiated options and multiple elective options for students.

ICIA was asked to provide instructional materials and strategies to meet the needs of a wide range of learners. The staff questioned whether the daily designated English Language Development (ELD) instruction for English Learners was being provided and whether an intervention block for remediation was being provided.

ICIA was asked to provide a copy of its California Health Kids Act curriculum. The staff questioned whether the curriculum was sufficient to meet state standards.

ICIA was asked to provide a Comprehensive School Safety Plan. The staff expressed concerns that a Comprehensive School Safety Plan has not been completed for the current year.

ICIA was asked to clarify its student disciplinary process, specifically the process for reporting serious disciplinary actions to the District. The staff questioned whether there is a sufficient disciplinary policy in place to address and correct student behavior concerns.

Each of these areas needs clarification.

I. The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Charter Petition [Education Code section 47605(b)(2)]:

See analysis of Section I above. **The Charter Petition does not contain reasonably comprehensive descriptions of all of the elements required by law [Education Code section 47605(b)(5)]:**

See the analysis in Section I above.

- A. In addition, in the area of Governance Structure of the School, the Board of Directors currently consists of three members. The District recommends that the Board of Directors consist of a minimum of five members. A Board of Directors with five members will be able to maintain a quorum when an absence occurs, provide better representation of multiple stakeholder groups, and provide for more effective management.

II.

STAFF RECOMMENDATION

Based on a thorough review of the Material Revision to the Charter Petition, for reasons including, but not limited to those outlined above, District staff recommends the Board approve Option 2, approve the Material Revision to the Charter Petition with conditions, and provide the District and the Charter School administrators time to develop a Memorandum of Understanding to resolve conditions and concerns with the Material Revision to the Charter Petition. Staff has prepared Resolutions for each Option, recognizing that the ultimate decision-making authority vests with the Board.