

# Attachment #2

Summit-Tamalpais 2nd Appeal



# SUMMIT PUBLIC SCHOOLS

March 1, 2019

Summit Public Schools  
780 Broadway  
Redwood City, CA 94063

Re: The Charter School Facility Grant Program (SB 740);  
Summit Public Schools - Tamalpais (CDS#07617960133637)  
Appeal to CSFA Board of Final Decision

Dear Ms. Johangten,

On February 1, 2019, Summit Public Schools (“Summit”), received the Charter School Facility Grant Program’s (“Program”) response to Summit Public Schools - Tamalpais’ (“Summit - Tamalpais”) appeal letter relating to its lease agreement and 2017 -2018 eligible costs under the Program. This letter represents Summit’s request to appeal the Program’s notice of the decision to the Authority board under Section 47614.5 of the California Education Code.

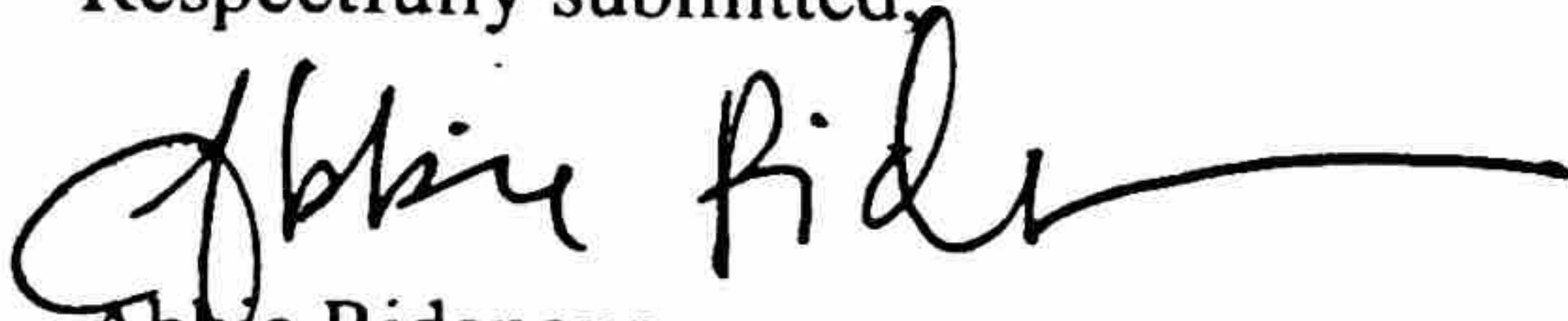
The issues brought up by Summit - Tamalpais apply to many schools, and while charters are supposed to be innovative, changes in the implementation of regulations, as in this case, cause significant financial hardship. Summit - Tamalpais operated during the 2017-18 school year, was in good standing, and incurred eligible costs while it was open. As is common with some charter schools, Summit - Tamalpais entered into a lease starting in 2016 that allowed the school to add a grade level each year and pay corresponding increases in lease costs that align with the school’s total student count and the school’s ability to pay. Summit’s 2017 - 2018 annual rent and lease costs total was \$226,833.

Due to the recent changes in the implementation of SB740, Summit - Tamalpais’ was adversely and disproportionately impacted. The revised regulations were not adopted until two months after the school year and budget year in question had ended. This left the school no ability to prepare or adjust the budget for the unanticipated shortfall. However, the school made a good-faith effort in working with the Program throughout the grant process. Summit had multiple communications with Program staff explaining key details of the school’s rent and lease obligations as well as providing, as a gesture of goodwill, a current market rent study from a

certified appraiser which shows that the school's lease costs remained well below market rate for its facility. As a result of Program changes, Summit - Tamalpais was left with a negative financial impact for the 2017 -2018 year in the amount of \$96,812.

While the Program regulations only give the Board authority to overturn procedural defects, the Board has accepted various appeals for the Charter School Facility Grant Program in the past on the condition that there is funding available after the true-up process. (e.g., Board allowed Voices College-Bound Language Academies to submit a late Program application where the school missed the deadline and where regulations clearly deny late schools, CSFA August 17, 2018, Meeting Minutes). If the Board doesn't grant an award increase, Summit - Tamalpais will suffer financial consequences. Therefore, Summit - Tamalpais respectfully requests that the Board award a grant increase of \$96,812, to cover the rent and lease costs for the 2017- 2018 school year.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Abbie Ridenour", with a long horizontal flourish extending to the right.

Abbie Ridenour  
Executive Director  
Summit - Tamalpais