Initial Petition—Countywide
Staff Report
Heartbeat Music & Performing Arts Academy
November 24, 2026

Part I. Executive Summary: Staff Report for Heartbeat Music & Performing Arts Academy

Non-Profit Corporation:	Heartbeat Music & Performing Arts Academy, Inc.
Proposed District Boundaries:	Unknown school district(s) within Riverside County
Program Type:	Classroom Based
Proposed Grades Served:	6-12
Anticipated Enrollment:	50 in 2027-2028

I. Proposed Petition: Countywide

Heartbeat Music & Performing Arts Academy, Inc. ("Petitioner" or "Nonprofit") proposes to establish a new classroom-based countywide benefit charter school by the name of Heartbeat Music & Performing Arts Academy ("Charter School" or "HBMPAA"), to eventually serve grades 6-12 within Riverside County. The Petition identifies an intended educational model incorporating culturally responsive instruction, leadership development, and college and career readiness, with an emphasis on preparing students for opportunities at Historically Black Colleges and Universities ("HBCUs"). The Petition contemplates a five-year charter term.[1] The Petition does not identify any specific location or school district where it plans to operate, other than noting the Charter School will be located within the boundaries of the Riverside County Office of Education. Petitioner provided notice to all 23 school districts in Riverside County that it may operate a charter school within their respective boundaries. Petitioner submitted the Petition to the Riverside County Board of Education ("County Board") following the minimum 30-day notification to these districts.

[1] The Petition's cover page identifies a proposed four-year charter term from July 1, 2027, through June 30, 2031, but the Review Team assumes this is a typographical error, since the Petition discusses a five-year term.

II. Proposed Options for County Board Action

It is recommended that the County Board take action to either grant or deny the proposed Petition. The County Board has the following options:

1. DENY the Petition and adopt, as findings of fact, the Proposed Findings identified in the Staff Report, concluding the Countywide Petition did not meet the requirements of Education Code Section 47605.6.

2. GRANT the Petition, based on the County Board's affirmative findings required by Education Code Section 47605.6, and its determination that no statutory basis for denial exists, for a 5-year term, commencing July 1, 2027, and concluding June 30, 2032, provided that a Memorandum of Understanding between the Charter School and Riverside County Office of Education is signed prior to the date of commencement of the new term.

III. Legal Standards and Procedural Background

The Charter Schools Act ("Act") governs the creation of California charter schools and provides standards and criteria for reviewing a charter petition. The Act reflects a preference for district-authorized charter schools. An alternative pathway for submission of a petition is directly to a county board as a countywide benefit charter school, which bypasses a local school district. The legal standards and criteria for a countywide charter petition are stricter than the standards and criteria for other types of charter school petitions. For example, the legal premise for a petition submitted to a district under Education Code 47605 is that a district "shall not deny" a petition unless it makes written factual findings. (Ed. Code, § 47605, subd. (c).) Whereas the legal premise for a countywide petition submitted under Education Code 47605.6 is that "the county board of education 'shall deny'" a petition if there are findings. (Ed. Code, § 47605.6, subd. (b).)

A county board of education may approve a petition for a charter school that operates at one or more sites within the geographic boundaries of the county and provides instructional services not generally provided by a county office of education. A county board of education "shall deny" a petition for the establishment of a countywide charter school if the county board finds one or more of the evaluation criteria outlined in Education Code Section 47605.6, subdivisions (a) or (b).

To approve a countywide charter petition, a county board of education must make certain threshold findings unique to countywide charters. Specifically, a county board of education may approve a countywide charter only if it makes each of the following findings, in addition to the other requirements of Education Code section 47605.6, above.

1. The educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services.
2. Such pupil population cannot be served as well by a charter school operating in only one school district in the county.
3. Granting the charter is consistent with sound educational practice.
4. The charter school has a reasonable justification for why it could not be established by petition to a school district pursuant to Education Code section 47605.

The county board is required to hold a public hearing within 60 days of receiving the petition to consider the level of community support. The County Board held a public hearing on November 4, 2026, to consider the Petition's terms and the level of support for the proposed Charter School among parents/guardians, teachers, and community members. The Board is required to take action to either grant or deny the Petition within 90 days of receipt, unless the parties agree to a 30-day extension. (Ed. Code, § 47605.6, subd. (b).) Board action is scheduled to take place at the Board meeting on December 9, 2026. Riverside County Office of Education ("RCOE") staff and legal counsel ("Review Team") reviewed the Petition and developed proposed findings of fact for consideration by the Board. This report and any other staff recommendations shall be published at least 15 days before the public hearing at which the Board will either grant or deny the charter. (Ed. Code, § 47605.6, subd. (b).)

IV. County Board's Authority

The County Board is responsible for evaluating and making the final determination to approve or deny a charter school petition. In doing so, the County Board has the authority to assess whether the findings of fact presented in the staff report support approval or denial, in accordance with the criteria established in Education Code Section 47605.6.

V. Executive Summary of Findings

The following **Executive Summary of Findings** is provided to assist the County Board in its consideration of the petition submitted by Heartbeat Music & Performing Arts Academy. It is intended to capture the essential issues relevant to the County Board's decision regarding approval or denial.

The **Detailed Analysis in Part II of this report** offers a fuller explanation of these findings, including the reasoning, context, and information that informed the assessment. In instances where additional documentation or supporting materials were deemed necessary, these have been included as attachments to the report.

Requirements For Countywide Benefit Petitions

Countywide Charter Threshold Findings

To approve a countywide charter petition, a county board of education must first make certain threshold findings unique to countywide charters. Specifically, a county board of education may approve a countywide charter ***only if it makes affirmative findings*** that the countywide charter school will serve a pupil population that will benefit from the charter school's services; that the pupils cannot be served as well by a charter school operating in only one school district; the charter is consistent with sound educational practice; and the charter school presents reasonable justification for why it cannot be established pursuant to Education Code section 47605. Only then, after making these threshold findings, does a county board look to whether the petition otherwise satisfies the other requirements of Education Code section 47605.6. Therefore, to make the requisite threshold findings, the County Board must affirm that the Petition meets all of the following elements:

1. The Petition clearly identifies the pupil population the school is designed to serve and explains how the proposed educational program is specifically intended to meet the needs of that population and provide educational benefit; AND
2. The Petition explains why these pupils cannot be served as well by a charter school that operates in only one school district in the county; AND
3. Granting the charter is consistent with sound educational practice; AND
4. The charter school has provided reasonable justification for why it could not be established by petition to a school district.

Required Threshold Findings
A. Pupil Population Requirement: Not Met The Petition does not establish that the proposed educational services will benefit the intended pupil population. Although Petitioner identifies a broad target population of students in grades 6-12, it fails to meaningfully identify their specific academic needs or demonstrate how the proposed educational program will address those needs. Of particular concern, the Petition provides highly generalized descriptions of its academic curriculum and instructional practices, with substantial portions of the educational program left for future development. These deficiencies are so significant that they prevent the Review Team from meaningfully evaluating whether the proposed educational services will benefit the intended pupil population.
B. Students Cannot be Served as Well within a District: Not Met The Petition does not establish why its proposed educational program requires

countywide authorization. Although Petitioner emphasizes its specialized performing arts program and intention to recruit students throughout Riverside County, it provides no meaningful explanation of why the intended pupil population could not be served as well by a charter school operating within a single school district. The Petition's generalized assertions concerning countywide benefit do not address this fundamental statutory distinction and are insufficient to satisfy this threshold requirement.

C. Sound Educational Practice: Not Met

The Petition does not establish that granting the proposed charter would be consistent with sound educational practice, as required by Education Code section 47605.6(b). Despite proposing to eventually serve students in grades 6-12, the Petition is substantially lacking in detail concerning its academic curriculum, instructional strategies, and educational supports, particularly as the program expands into high school grades. Key aspects of the proposed educational program remain undefined, including how students will receive the instruction necessary to satisfy applicable academic and graduation requirements. These substantial omissions prevent a meaningful evaluation of the proposed program's educational soundness.

D. Reasonable Justification for the Inability to be Established by a Local District: Not Met

The Petition fails to establish a reasonable justification for why the proposed Charter School could not be established through authorization by a local school district. Although Petitioner emphasizes its specialized performing arts program and intention to serve students throughout Riverside County, it identifies no circumstances that would prevent the proposed Charter School from being established through the ordinary district authorization process. The Petition's generalized assertions concerning countywide benefit do not meaningfully address this separate statutory requirement.

Statutory Elements

I. Descriptions Not Reasonably Comprehensive

Element A: Educational Program

The Petition fails to provide a reasonably comprehensive description of its proposed educational

program, including:

- Substantial portions of the educational program remain undeveloped, with Petitioner planning further development following authorization.
- Insufficient details concerning intended modalities, academic curriculum, instructional practices, and delivery of educational services across grades 6-12.
- Fundamental omissions and a lack of substantive detail preventing meaningful evaluation of the proposed educational program.
- The petition's student support structure is significantly underdeveloped. It does not describe tiered levels of support, such as a Multi-Tiered System of Supports (MTSS), nor does it identify the Special Education Local Plan Area (SELPA) the school intends to join.

Elements B and C: Measurable Pupil Outcomes; Method by Which Pupil Progress in Meeting Outcomes is to be Measured.

The Petition lacks a reasonably comprehensive description of measurable pupil outcomes and methods for assessing pupil progress, including:

- Pupil outcomes are largely vague or aspirational, lacking specific, measurable performance targets.
- No details concerning how pupil progress toward identified outcomes will be measured and evaluated.
- Substantial omissions that, considered alongside the inadequately developed educational program, prevent meaningful evaluation of the Charter School's proposed measures of academic achievement and student progress.

Element D: The Location of Each Charter School Facility That Petitioner Proposes to Operate.

The Petition fails to address this Element entirely. Even when considering discussions of facilities elsewhere in the Petition, the document lacks a reasonably comprehensive description of its proposed school location. Petitioner does not identify a facility, city, or school district where it intends to operate, instead referencing the entirety of Riverside County. Petitioner provided notices to 23 separate school districts without identifying a proposed location in any of them, raising concerns as to whether Petitioner has determined where it intends to establish the Charter School. This also raises questions regarding Petitioner's understanding of the statutory framework and operational requirements unique to countywide charter schools. The absence of this fundamental information prevents meaningful evaluation of the proposed facilities, their operational feasibility, budgetary implications, and accessibility and appropriateness for the identified student population.

Element E: Governance Structure. [2] *(Identified in Petition as Element D)*

The Petition lacks a reasonably comprehensive description of its governance structure and is missing critical information regarding the Nonprofit's governance and organizational structure. Significant concerns include:

- Failure to provide the Nonprofit's bylaws, Articles of Incorporation, or other foundational governance documents.
- Failure to identify proposed governing board members and their qualifications, as expressly required by Education Code section 47605.6(h).
- Reliance upon future development of the governing board and adoption of essential governance documents *after* authorization.
- Insufficient details concerning governance procedures and meaningful parental involvement.

These substantial omissions prevent the Review Team from meaningfully evaluating the proposed governance structure or Petitioner's capacity to effectively operate the Charter School in a manner beneficial to students.

Element F: Employee Qualifications. *(Identified in Petition as Element E)*

The Petition fails to provide a reasonably comprehensive description of employee qualifications. Although Petitioner identifies highly generalized qualifications for certain positions, the descriptions are vague and lack important details. In particular, the Petition provides insufficient information concerning qualifications for administrative, instructional, classified, and specialized support personnel. These substantial omissions prevent meaningful evaluation of whether Petitioner has established appropriate qualifications for personnel necessary to implement its proposed grades 6-12 academic and performing arts program, meet students' diverse educational needs, and comply with applicable legal requirements.

Element G: The procedures that the charter school will follow to ensure the health and safety of pupils and staff. *(Identified in Petition as Element F)*

The Petition fails to provide a reasonably comprehensive description of health and safety procedures for students and staff. Despite the significance of this required element, Petitioner

[2] The Petition's pagination for elements within Education Code section 47605.6 (b)(A)-(O) does not fully align with statute. This Staff Report will note the Charter School's citations in parentheticals and the correct statutory element citations in bold, for the reader's ease of reference.

devotes less than a single page to the subject, offering only generalized assurances of future compliance. The Petition and supplemental materials lack substantive procedures addressing fundamental health and safety requirements, including employee criminal record clearances and the development and annual review of a comprehensive school safety plan. These omissions are illustrative of much broader deficiencies, rendering the information so wholly inadequate that the Review Team cannot meaningfully evaluate the Charter School's proposed measures to protect the health and safety of students and staff.

Element H: Suspension and Expulsion Procedures. *(Identified in Petition as Element J)*

The Petition does not provide a reasonably comprehensive description of the suspension and expulsion procedures critical to ensuring students' due process rights. Despite the extensive statutory requirements governing student discipline, Petitioner devotes less than a single page to this element, offering only generalized assurances of compliance. The supplemental policy likewise fails to adequately address fundamental disciplinary procedures and required statutory due process protections, including those governing involuntary removal of students. These substantial omissions render the Petition wholly inadequate to permit meaningful evaluation of whether the proposed procedures comply with applicable law and protect students' rights.

II. Demonstrably Unlikely to Successfully Implement Program

The Petition contains substantial deficiencies demonstrating that Petitioner is unlikely to successfully implement its proposed program.

a. Unrealistic Financial Projections and Unsupported Enrollment Assumptions
The Petition's financial plan is inadequately substantiated at start-up and relies on unrealistic enrollment growth projections and unsupported revenue assumptions over the long term, raising serious concerns about both the establishment and the ongoing financial viability of the Charter School.

b. Lack of Facilities and Operational Readiness
Petitioner has not identified any one of twenty-three school districts in which it might operate, preventing meaningful evaluation of the suitability of proposed facilities for its student population and educational program, the reasonableness of anticipated facilities expenditures, or Petitioner's ability to open on time and sustain successful operations. This also leaves the county's 23 school districts uncertain whether a countywide charter school may open within their respective boundaries. This is misaligned with the meaning and spirit of the countywide statute and its notice procedures.

c. Inadequate Governance, Staffing, and Administrative Capacity

The Petition is almost entirely lacking in substantive information concerning Petitioner's governance structure and organizational capacity. Petitioner fails to identify its proposed governing board members or their qualifications, provides no bylaws or foundational corporate documents, and contemplates developing its governing board and governance procedures after authorization. These omissions preclude meaningful evaluation of Petitioner's capacity to govern and operate a public charter school.

d. Lack of Petition Detail and Demonstrated Operational Capacity
The Petition's widespread lack of substantive detail and reliance upon generalized assurances of future compliance raise fundamental concerns regarding Petitioner's understanding of the responsibilities of operating a public charter school and its ability to successfully implement the proposed program.

III. Unsound Education Program

The Petition does not present a fully sound educational program for pupils to be enrolled in the Charter School. The Petition contains substantial deficiencies concerning its academic program, measurable pupil outcomes, instructional model, and educational services, raising serious concerns regarding the soundness of the proposed educational program. Fundamental components are either entirely omitted or so lacking in substantive detail that the Review Team cannot meaningfully evaluate the educational program Petitioner proposes to implement.

IV. Does Not Include Signatures

No Findings Determined

V. Does Not Include All Required Affirmations

Petition Does Not Specify Required Enrollment Preferences

The Petition does not specify the required enrollment preferences and their priority order, as mandated by Education Code section 47605.6(e)(2)(B). Instead, Petitioner merely states that preferences, "if used," will comply with applicable law and be approved in the charter. But no specific preferences have been provided for approval in the Petition. This conditional language also fails to adequately address the mandatory statutory preferences or to establish their order of priority as required by law.

VI. Employer Declaration Not Provided

No Findings Determined

VII. Any Other Basis

No Findings Determined

END OF PART I.

Refer to page 2, "Proposed Options for County Board Action"

Part II. DETAILED ANALYSIS: Staff Report for Heartbeat Music & Performing Arts Academy Charter School

1. Background

Heartbeat Music & Performing Arts Academy, Inc. ("Petitioner" or "Nonprofit") proposes to establish a new classroom-based countywide benefit charter school by the name of Heartbeat Music & Performing Arts Academy ("Charter School" or "HBMPAA"), to eventually serve grades 6-12, within Riverside County. The Petition does not identify any specific location or school district within which it plans to operate, other than noting the Charter School will be located within the boundaries of the Riverside County Office of Education. (Petition, p. 4.) Petitioner provided notice to 23 school districts in Riverside County that it may operate a charter school within that district's boundaries. Petitioner submitted the Petition to the Riverside County Board of Education ("County Board") following the minimum 30-day notification to these districts.

According to the Petition, HBMPAA would operate a site-based, college-preparatory educational program integrating academic instruction with performing arts, including music, marching band, dance, theater, and arts technology. The Petition identifies an intended educational model incorporating culturally responsive instruction, leadership development, and college and career readiness, with emphasis on preparing students for opportunities at Historically Black Colleges and Universities ("HBCUs"). The Petition identifies its target population as students residing throughout Riverside County, with particular emphasis on historically underserved students, including low-income students, English learners, students with disabilities, foster youth, and homeless youth. (Petition, pp. 7-8, 10-16.)

Petitioner proposes to commence operations in the 2027-2028 school year, initially serving 50 students in Grade 6. The Petition contemplates adding one grade level and approximately 100 additional students each subsequent year, ultimately serving 650 students in grades 6-12 by the 2033-2034 school year. (Petition, pp. 11-12, 27.) The proposed charter term is five years.[3]

2. Legal Review Parameters

General Review Criteria

California's Charter Schools Act ("Act") governs the creation of charter schools within the state and provides standards and criteria for reviewing a charter petition. Countywide benefit charter schools are charter schools that operate at one or more sites within the geographic boundaries of the county

[3] The Petition's cover page identifies a proposed four-year charter term from July 1, 2027, through June 30, 2031, but the Review Team assumes this is a typographical error, since the Petition discusses a five-year term.

in which they are approved and provide instructional services that are not typically provided by a county office of education. (Ed. Code, § 47605.6, subd. (a)(1).)

While the Act signifies legislative intent to encourage the approval of district-approved charter schools, the encouragement is not extended to countywide charter schools. The criteria and legal standards to approve a countywide charter petition are stricter. For example, the legal standard for a petition submitted to a school district under Education Code 47605 is that a district "shall not deny" a petition unless it makes certain written factual findings. (Ed. Code, § 47605(c).) Whereas the legal standard for a petition submitted under Education Code 47605.6 is that the county board of education "shall deny" a petition if there are any findings. (Ed. Code, § 47605.6(b).)

More specifically, a county board of education may only approve a countywide charter school if it is satisfied that the charter presents a sound educational practice and contains reasonable justification as to why it could not be established by a school district. (Ed. Code, § 47605.6, subd. (b).) The county board of education must find that the charter school's proposed educational services will be offered to a pupil population who will benefit from those services, and who cannot be served as well by a charter school operating in only one district in the county. (Ed. Code, § 47605.6, subd. (a)(1).) Additionally, a county board "shall deny" a petition establishing a countywide charter school if it finds one or more of the following, pursuant to Education Code section 47605.6, subdivision (b):

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 required number of signatures.
4. The petition does not contain an affirmation of each of the conditions described in Education Code section 47605.6(e).
5. The petition does not contain reasonably comprehensive descriptions of all of the following:

    a. Educational program, including annual goals for all pupils and pupil subgroups, and actions to achieve those goals

    b. Measurable pupil outcomes identified for use by the charter school, aligned with the state priorities

    c. Method by which pupil progress in meeting outcomes is to be measured

    d. Location of each charter school facility that the petitioner proposes to operate

    e. Governance structure, including process to ensure parental involvement

    f. Employee qualifications

    g. Health and safety procedures

h. Means to achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils that is reflective of the general population residing within the territorial jurisdiction of the county

i. Suspension and expulsion procedures

j. Retirement systems

k. Dispute resolution procedures

l. Admission policies and procedures

m. Public school attendance alternatives within the county

n. Employee return rights

o. School closure procedures

6. The petition does not include a declaration of whether the charter school shall be deemed the exclusive public-school employer of its employees under the Educational Employment Relations Act.

7. Any other basis that the county board of education finds justifies the denial of the petition.

(Ed. Code, § 47605.6(b).)

The seventh reason a county board of education may deny a countywide charter petition is unique. County boards of education are granted broad discretion to deny a countywide benefit charter petition, and may consider community impact, fiscal impact, or any other factor that may affect approval or denial.

Countywide Charter Threshold Findings

To approve a countywide charter petition, a county board of education must also make certain affirmative threshold findings unique to countywide charters. Specifically, a county board of education may approve a countywide charter *only* if it makes *each* of the following findings, in addition to the other requirements of Education Code section 47605.6, above.

1. The educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services.
2. Such pupil population cannot be served as well by a charter school operating in only one school district in the county.
3. Granting the charter is consistent with sound educational practice.
4. The charter school has a reasonable justification for why it could not be established by petition to a school district pursuant to Education Code section 47605.

3. Proposed Findings

The Review Team has identified the following possible findings for the County Board's consideration:

1. The Petition Lacks the Threshold Requirements to Establish a Countywide Charter School.

a. Pupil Population Requirement: Threshold Not Met

Education Code section 47605.6(a)(1) requires the County Board of Education to find that the educational services to be provided by a countywide charter school will offer services to a pupil population that will benefit from those services. The Charter School intends to serve students in grades 6-12.

The Petition generally identifies its target population as students in grades 6-12 residing throughout Riverside County, with an emphasis on historically underserved students, including low-income students, Black/African American students, English learners, students with disabilities, foster youth, homeless youth, and students interested in performing arts. (Petition, pp. 7-8, 10.) However, the Petition fails to meaningfully identify the particular academic needs of the students it proposes to serve or demonstrate how its proposed educational program is designed to address those needs.

Of particular concern is the Petition's substantially inadequate description of its proposed academic program. Although Petitioner proposes to eventually serve students across seven grade levels, encompassing both middle school and high school, the Petition provides only generalized descriptions of its academic curriculum and instructional practices. The Petition fails to provide a meaningful description of the curriculum to be taught, the instructional materials and methods to be utilized, the progression of academic instruction across grade levels, or how the proposed instructional program will be implemented to ensure students achieve grade-level proficiency. (Petition, pp. 13-16.)

Similarly, the Petition identifies general instructional strategies, including arts-integrated instruction, project-based learning, differentiated instruction, and data-driven instruction, but provides little substantive explanation of how these strategies will be implemented in core academic subjects or differentiated to address the distinct educational needs of middle school and high school students. (Petition, pp. 15-16.)

Rather than presenting a developed academic program for the grades it proposes to serve, Petitioner indicates that curriculum maps, instructional materials, assessment tools, and other essential components of the educational program will be prepared before the addition of subsequent grade levels. (Petition, p. 17.) Petitioner's intention to develop these essential components in the future does not provide sufficient

information to meaningfully evaluate the educational services presently proposed.

Without more meaningful and detailed information, the Review Team cannot reasonably determine that the educational services proposed will adequately address the needs of the intended pupil population.

b. Students Cannot be Served as Well within a District: Threshold Not Met

Education Code section 47605.6(a)(1) further requires the County Board to find that the pupil population proposed to be served by the Charter School cannot be served as well by a charter school that operates in only one school district in the county.

The Petition does not establish why its proposed educational program requires countywide authorization, rather than authorization by an individual school district. In its discussion of countywide benefit and need, Petitioner asserts that HBMPAA will provide educational services "not generally available through a single traditional district program," citing its proposed grades 6-12 college-preparatory performing arts program, including marching band, music, dance, theater, arts technology, and HBCU-related opportunities. (Petition, p. 8.) However, this does not address why the proposed pupil population could not be served as well by a charter school operating within a single school district—i.e., why HBMPAA could not submit the same proposed program to a local school district in Riverside County. The mere fact that Petitioner intends to recruit students from throughout Riverside County does not establish that those students could not be served as well by a charter school operating within a single district. The Petition provides no meaningful analysis addressing this threshold requirement.

Ultimately, the Petition provides no substantive justification for why the educational services it proposes could not be provided equally well through a charter school operating within a single school district. Petitioner's generalized references to countywide student recruitment and the specialized nature of its performing arts program are insufficient to establish the affirmative finding required by Education Code section 47605.6, subdivision (a)(1). Accordingly, this threshold requirement has not been met.

c. Sound Educational Practice: Threshold Not Met.

Education Code section 47605.6 (b) requires the chartering authority to be satisfied that granting the proposed charter is consistent with sound educational practice.

As discussed above, the Petition provides an insufficiently developed academic program for a school proposing to eventually serve students in grades 6-12. Although Petitioner describes its educational model as a rigorous, standards-aligned, college-preparatory program integrating traditional academics with performing arts instruction, the Petition lacks substantive information concerning how the academic program will actually be

delivered. The descriptions of curriculum, instructional strategies, and academic supports are largely generalized, without sufficient detail to demonstrate that the proposed program is educationally coherent or appropriate for the distinct developmental and academic needs of middle school and high school students. (Petition, pp. 13-16.)

These deficiencies become particularly significant as the Charter School expands into high school grades, when students will be expected to complete increasingly demanding coursework, including courses necessary to satisfy high school graduation and college entrance requirements. The Petition does not adequately demonstrate how its proposed instructional model will accommodate these academic requirements. (Petition, p. 16.)

The Petition also fails to demonstrate sufficient educational planning to support its proposed expansion from a single sixth-grade cohort to a comprehensive grades 6-12 program. The Petitioner's proposed approach leaves fundamental aspects of its educational program undefined at the time the County Board is being asked to evaluate its educational soundness.

d. Reasonable Justification for the Inability to be Established by a Local District Threshold Met: No

The findings regarding countywide necessity and sound educational practice also inform the determination under Education Code section 47605.6(b) that the Petition does not include reasonable justification for why the charter school could not be established by petition to a school district.

The Petition fails to provide any meaningful justification for why the proposed Charter School could not be established through authorization by a local school district. Although Petitioner emphasizes its intention to serve students throughout Riverside County and offer a specialized performing arts program, it does not identify any circumstances that would prevent or otherwise reasonably preclude the establishment of the proposed Charter School through the ordinary district authorization process. As discussed above, neither the proposed educational model nor the intention to recruit students from multiple school districts independently establishes the necessity of countywide authorization.

Accordingly, the Petition fails to establish a reasonable justification for why the Charter School could not be established by petition to a local school district.

2. The Petition Lacks a Reasonably Comprehensive Description of Each of the Required Elements.

a. Element A: Educational Program.

Education Code section 47605.6, subdivision (b)(5)(A), requires a reasonably comprehensive description of the Charter School's educational program, including the pupils it intends to educate, its instructional approach, and annual goals and actions aligned with applicable state priorities.

The Petition does not provide a reasonably comprehensive description of its proposed educational program for grades 6-12. (Petition, pp. 13-17.) The Petition describes its mission as a dual focus on "academic excellence and performing arts" but does not describe the support structures through which students will reach that standard. It references special education, English learner services, differentiated instruction, and intervention, but does not explain how these services and supports will be delivered.

The Petition identifies the student groups it intends to serve but does not describe their academic needs. The target population includes low-income students, English learners, students with disabilities, foster youth, and homeless youth. (Petition, pp. 10) The Petition does not include data or analysis regarding the academic needs of these students. The Executive Summary states that the program includes "a sound approach" to meeting the needs of English learners, students with disabilities, and students achieving above or below grade level. In the educational program, the description of that approach consists of three statements: the school will comply with IDEA and Section 504; it will provide a "comprehensive ELD program aligned with CA ELD Standards"; and economically disadvantaged students, foster youth, and homeless youth will receive "targeted academic/SEL support."

Beyond these statements, the Petition does not provide sufficient detail regarding service delivery for students with disabilities, including the SELPA it intends to join; designated and integrated English language development; the identification, delivery, and intensification of academic and behavioral interventions; or differentiated instruction and enrichment for students performing above grade level. References to assessment, progress monitoring, and future planning do not establish what instruction or support students will receive, who will provide it, when it will occur, or how its effectiveness will inform adjustments. Without this information, the review team cannot determine whether the proposed program can meet the needs of the students the school intends to serve.

The Petition also defers substantial portions of its educational program, including curriculum maps, instructional materials, and assessment tools for each grade level, until after authorization. (Petition, pp. 17, 50.)

The resulting lack of specificity is a fundamental deficiency preventing meaningful evaluation of the educational program Petitioner proposes to implement. Accordingly, the Petition fails to provide a reasonably comprehensive description of Element A, as required by Education Code section 47605.6, subdivision (b)(5)(A).

b. Elements B and C: Measurable Pupil Outcomes; Method By Which Pupil Progress in Meeting Outcomes is to be Measured.

Education Code section 47605.6, subdivisions (b)(5)(B) and (C), require reasonably comprehensive descriptions of measurable pupil outcomes, including outcomes addressing academic achievement schoolwide and for all pupil subgroups, and the methods by which pupil progress toward those outcomes will be measured.

Although the Petition identifies various academic, artistic, and social-emotional outcomes, they are largely vague or aspirational and lack specific, measurable performance targets. Similarly, while the Petition identifies various assessment tools and data sources, it provides insufficient information concerning how pupils' progress toward the identified outcomes that will be meaningfully measured and evaluated. (Petition, pp. 18-22.)

For example, the Petition identifies "annual growth toward state proficiency targets" as its ELA and mathematics outcome but does not specify the expected amount of growth or annual performance targets for students schoolwide or by subgroup. Although it identifies CAASPP, local benchmarks, and interim assessments as data sources, it does not explain how results will be used to determine whether students are making sufficient progress toward the stated outcome. Identifying assessments and review intervals does not, by itself, establish measurable expectations for student achievement. (Petition, pp. 18, 21–22.)

These deficiencies, particularly when considered in conjunction with the inadequately developed educational program, render the description of measurable pupil outcomes and the methods for measuring pupil progress insufficient to satisfy the statutory requirement.

c. Element D: The Location of Each Charter School Facility That Petitioner Proposes to Operate.

Education Code section 47605.6, subdivisions (b)(5)(D) and (h), require a reasonably comprehensive description of the location of each proposed charter school facility, including information concerning the facilities to be used. Notably, the Petition completely omits this required element, instead identifying Element D as governance structure. (Petition, pp. 3, 23.)

Even if location is discussed sparsely elsewhere in the Petition, Petitioner fails to meet these requirements. Petitioner does not identify a proposed facility, city, school district, or even a general geographic area within Riverside County where it intends to operate. Instead, Petitioner merely states that the Charter School will be located within the boundaries of the Riverside County Office of Education, encompassing over 7,000 square miles. (Petition, p. 4.)

Further demonstrating this deficiency, Petitioner notified 23 separate school districts of its intent to seek countywide charter authorization, without identifying a proposed location in any of them. Presumably, this leaves 23 school districts to wonder whether a charter school will be opening in their boundaries, without sufficient opportunity to plan for or evaluate potential impacts. Although advance notice to affected districts is required by Education Code section 47605.6, subdivision (a)(1), the breadth of the 23 notifications raises concerns regarding whether Petitioner has meaningfully determined where it intends to operate. Supplemental facilities documentation merely provides assurances of future compliance without identifying a proposed location. (Petition, Exhibit L.)

While the absence of a secured facility alone would not necessarily render a petition deficient, Petitioner has failed to identify even a reasonably ascertainable location. This omission is particularly significant given the proposed site-based instructional model, extensive performing arts programming, and anticipated enrollment growth. Without this fundamental information, the Review Team cannot meaningfully evaluate the feasibility of the proposed facilities, accessibility to students, budgetary implications, or impacts upon the district in which the Charter School would operate. Accordingly, the Petition fails to provide a reasonably comprehensive description of this required element.

d. Element E: Governance Structure.[4] *(Identified in Petition as Element D.)*

Education Code section 47605.6, subdivision (b)(5)(E), requires a reasonably comprehensive description of the Charter School's governance structure, including parental involvement. Additionally, subdivision (h) requires identification of the proposed governing board members and their relevant qualifications.

The Petition fails to satisfy these requirements. Although Petitioner represents that HBMPAA will be operated by a California nonprofit public benefit corporation, it provides remarkably little substantive information concerning the Nonprofit's governance or organizational structure. No bylaws, Articles of Incorporation, or other foundational corporate governance documents are provided. Moreover, the Petition fails to identify the proposed governing board members or their qualifications, as expressly required by law. (Petition, pp. 23-24.)

Of particular concern, the Petition indicates that the founding board will be developed and that fundamental governance documents will be adopted *after* authorization. (Petition, pp. 24, 50.) Although a resolution signed by an individual identified as the Nonprofit's Board Chair is included, the Petition provides virtually no information concerning its existing board or governance arrangements. References to future compliance and parental consultation also fail to meaningfully address the required governance procedures.

These substantial omissions leave fundamental questions concerning Petitioner's governance and organizational capacity unanswered, precluding meaningful evaluation of its ability to effectively govern and oversee the Charter School. Accordingly, the Petition fails to provide a reasonably comprehensive description of this required element.

e. Element F: Employee Qualifications. *(Identified in Petition as Element E.)*

Education Code section 47605.6, subdivision (b)(5)(F), requires a reasonably comprehensive description of the qualifications to be met by individuals employed by the Charter School. This requirement is important to ensure that the Charter School will employ appropriately qualified personnel capable of implementing its proposed educational program, meeting the needs of its student population, and satisfying applicable legal requirements.

[4] The Petition's pagination for elements within Education Code section 47605.6 (b)(A)-(O) does not fully align with statute. This Staff Report will note the Charter School's citations in parentheticals and the correct statutory element citations in bold, for the reader's ease of reference.

The Petition fails to provide a reasonably comprehensive description of employee qualifications. Although Petitioner generally identifies qualifications for certain instructional and administrative positions, these descriptions are largely aspirational and lack specificity. For example, Petitioner states that performing arts instructors will be hired based on a combination of credentials and professional expertise, while the Executive Director/Principal must possess a valid administrative credential "or equivalent" and demonstrate successful experience in school leadership. (Petition, p. 25.) However, the Petition does not meaningfully define these qualifications or establish standards for evaluating whether individuals possess the expertise necessary to fulfill these critical responsibilities.

The deficiencies extend to other positions. Although the Petition references various administrative, instructional support, and classified positions, it provides little or no substantive information concerning the qualifications required for these employees. Similarly, while Petitioner identifies the need for personnel to provide special education services, English learner support, and other specialized student services, the Petition does not adequately address the qualifications necessary to fulfill these responsibilities. (Petition, pp. 25-27.)

These omissions are concerning given Petitioner's proposed educational model, which contemplates a comprehensive grades 6-12 academic program integrated with specialized performing arts instruction. The qualifications of the Charter School's instructional, administrative, and support personnel are fundamental to its ability to deliver an educationally sound program, provide appropriate services to students with diverse educational needs, and comply with applicable credentialing and other legal requirements. Without sufficiently defined qualifications for these positions, the Review Team cannot meaningfully assess whether Petitioner has established appropriate standards for employing personnel capable of implementing the proposed program.

The Petition's generalized descriptions and assurances concerning employee qualifications are insufficient. Accordingly, the Petition fails to provide a reasonably comprehensive description of Element F.

f. Element G: The procedures that the charter school will follow to ensure the health and safety of pupils and staff. *(Identified in Petition as Element F.)*

Education Code section 47605.6, subdivision (b)(5)(G), requires a reasonably comprehensive description of the procedures the Charter School will follow to ensure the health and safety of pupils and staff. These procedures must include requirements concerning employee criminal record summaries pursuant to Education Code section 44237, the development and annual review of a comprehensive school safety plan pursuant to Education Code section 47606.3, and the review and update of that plan by March 1 of each year.

The Petition's description of its proposed health and safety procedures is wholly inadequate. Despite the significance and breadth of this required element, Petitioner devotes less than a single page to the subject, offering only a handful of generalized statements concerning student supervision, staff training, confidentiality, and emergency preparedness. (Petition, p.

28.) Rather than describing the actual procedures the Charter School will implement to ensure the health and safety of students and staff, Petitioner merely identifies broad areas of anticipated compliance and asserts that it will maintain various safety protocols in the future.

For example, although Petitioner generally references employee background checks and criminal background clearance in its supplemental materials, it does not provide sufficiently developed procedures addressing the criminal record summary requirements of Education Code section 44237. Similarly, while Petitioner represents that it will develop and maintain a comprehensive school safety plan, it does not adequately describe the procedures by which the plan will be developed, reviewed, and updated in accordance with statutory requirements. The supplemental Comprehensive School Safety Plan Summary (Exhibit G) likewise consists primarily of broad assurances concerning future development and implementation, rather than procedures capable of meaningful evaluation.

These are merely examples of the deficiencies in this element, rather than an exhaustive list of information omitted from the Petition. The Petition's description is so cursory and lacking in substantive detail that it does not permit the Review Team to meaningfully evaluate the adequacy of the Charter School's proposed health and safety procedures. These concerns are significant given the proposed program's on-site classroom-based model, off-site performances, and student travel, as well as the complete absence of an identified school facility. Accordingly, the Petition fails to satisfy Education Code section 47605.6, subdivision (b)(5)(G).

g. Element H: Suspension and Expulsion Procedures. *(Identified in Petition as Element J.)*

Education Code section 47605.6, subdivision (b)(5)(J), requires a reasonably comprehensive description of the procedures by which students may be suspended, expelled, or otherwise involuntarily removed from the Charter School, including specific statutory due process protections.

The Petition's description of its suspension and expulsion procedures is wholly inadequate. Petitioner devotes less than a single page to this required element, offering only generalized assurances concerning restorative discipline, due process, and compliance with applicable law. (Petition, p. 36.) Although the supplemental Suspension & Expulsion Policy (Exhibit F) provides some additional information, it likewise fails to adequately establish the grounds and procedures governing suspension and expulsion or address essential statutory safeguards, including the specific statutory requirements governing involuntary removal of students.

These deficiencies are substantial and extend well beyond the examples identified above. The information provided is so cursory and incomplete that it precludes meaningful evaluation of whether the Charter School's proposed disciplinary procedures comply with applicable law and adequately protect students' rights. Accordingly, the Petition fails to provide a reasonably comprehensive description of this required element.

3. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

Education Code section 47605.6, subdivision (b)(2), requires denial of a charter petition where the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. Here, the Petition contains substantial deficiencies concerning Petitioner's financial viability, operational planning, facilities, governance, and staffing, which collectively demonstrate that Petitioner is unlikely to successfully establish and operate the proposed Charter School.

a. Unrealistic Financial Projections and Unsupported Enrollment Assumptions.

The Petition presents an unrealistic and inadequately substantiated financial plan. Petitioner projects enrollment growth from 50 students in its first year to 150 students in its second year, followed by annual increases of approximately 100 students. (Petition, pp. 11-12, 27; Exhibit K.) Despite characterizing these projections as conservative, Petitioner provides no meaningful evidence of student demand or sufficiently developed recruitment strategy to support such aggressive enrollment growth. Because anticipated revenues are dependent upon achieving these projections, the unsupported assumptions undermine the reliability of the financial plan.

Additional concerns include a projected first-year operating deficit of $178,100 and anticipated grants and philanthropic contributions totaling $275,000, with no evidence of committed funding. (Petition, Exhibit K.) Further, projected LCFF revenue is overstated, and the first-year cash flow projection includes an unsupported beginning cash balance of $250,000 and does not reconcile with the first-year operating budget. These deficiencies raise substantial concerns regarding the financial viability of the proposed Charter School and Petitioner's understanding of the financial requirements of operating a public charter school.

b. Lack of Facilities and Operational Readiness

Petitioner has failed to identify a general geographic location for the proposed Charter School, much less a specific facility. Despite proposing to commence operations in the 2027-2028 school year, the Charter Petition provides no meaningful evidence of a realistic plan to secure and prepare an appropriate facility. (Petition, p. 4; Exhibit L.) The absence of any identified location also renders the proposed facilities expenditures speculative and raises substantial concerns regarding Petitioner's ability to accommodate its specialized educational program and commence operations as proposed.

c. Inadequate Governance, Staffing, and Administrative Capacity

The Petition provides insufficient information concerning Petitioner's existing governance structure, proposed governing board members, and organizational capacity. Petitioner contemplates developing its founding board and adopting fundamental governance

documents following authorization. (Petition, pp. 23-24, 50.) The Charter Petition fails to adequately demonstrate how Petitioner will secure the qualified instructional, administrative, and specialized personnel necessary to implement its proposed educational program. (Petition, pp. 25-27.) These deficiencies raise substantial concerns regarding Petitioner's capacity to establish and effectively operate the Charter School.

d. Lack of Petition Detail and Demonstrated Operational Capacity.

Beyond the specific issues identified above, the Petition's lack of substantive detail, on its own, raises serious concerns regarding Petitioner's understanding of the legal, educational, financial, and operational responsibilities associated with establishing and operating a public charter school. Throughout the Petition, Petitioner relies heavily upon generalized assurances of future compliance rather than demonstrating a meaningful understanding of how essential aspects of the Charter School will be implemented. The deficiencies are so widespread that numerous required elements cannot be meaningfully evaluated. Taken together, these omissions reflect a fundamental lack of operational planning, demonstrating that Petitioner is unlikely to successfully implement the proposed program.

4. The Petition Presents an Unsound Educational Program for Students to be Educated.

Education Code section 47605.6, subdivision (b)(1), requires denial of a charter petition where the proposed charter school presents an unsound educational program for the pupils to be enrolled. As discussed above, the Petition contains substantial deficiencies concerning the proposed academic program, instructional model, and educational services, raising serious concerns regarding the educational soundness of the program Petitioner proposes to implement. Fundamental components of the proposed educational program are either entirely omitted or addressed in such vague and conclusory terms that the Petition does not permit a meaningful evaluation of the program's educational soundness. The deficiencies are substantial and pervasive.

To avoid redundancy, deficiencies typically reported in this section are addressed under Element A.

5. The Petition Does Not Include All Required Affirmations.

Education Code section 47605.6(e)(2)(B) requires countywide charter schools to extend enrollment preferences to currently enrolled students and county residents. The statute further requires the priority order of enrollment preferences to be determined in the petition, with each type of preference approved by the chartering authority at a public hearing.

The Petition does not satisfy these requirements. Rather than specifying the enrollment preferences that will apply and their priority order, Petitioner states that preferences, “if used,” will be limited to those permitted by law and approved in the charter. It then identifies *possible* preferences without establishing which will actually apply or their priority order. (Petition, p. 32.) Without this, the County Board cannot review or approve preferences within the Petition. Moreover, the Petition does not unequivocally affirm that it will extend the mandatory enrollment preferences to certain student groups as required by law.

Accordingly, the Petition fails to adequately affirm the applicable statutory conditions under Education Code section 47605.6(b)(4).

RECOMMENDATION

It is recommended that the County Board take action to either grant or deny the proposed Petition. The County Board has the following options:

1. DENY the Petition and adopt, as findings of fact, the Proposed Findings identified in the Staff Report, concluding the Petition did not meet the requirements of Education Code Section 47605.6.

2. GRANT the Petition, based on the County Board's affirmative findings required by Education Code Section 47605.6, and its determination that no statutory basis for denial exists, for a 5-year term, commencing July 1, 2027, and concluding June 30, 2032, provided that a Memorandum of Understanding between the Charter School and RCOE is signed prior to the date of commencement of the new term.