

# **PLEASANT VALLEY SCHOOL DISTRICT'S BOARD OF TRUSTEES**

## **STAFF REPORT AND PROPOSED FINDINGS OF FACT**

### **REGARDING UNIVERSITY PREPARATION CHARTER SCHOOL**

#### **RENEWAL PETITION**

November 4, 2020

#### **INTRODUCTION**

On September 1, 2020, the University Preparation Charter School at CSU Channel Islands ("Charter School") submitted its charter renewal petition ("Renewal Petition") to the Pleasant Valley School District ("District"). On October 15, 2020, the District's Governing Board ("Board") held a public hearing to consider the level of support for the Renewal Petition. The Charter School's Executive Director, Charmon Evans, presented a PowerPoint on the Charter School's overall performance and programs. The Governing Board also heard public comment from one public speaker, a parent/Charter School Board member and several community stakeholders via written letters. The District anticipates holding its second public hearing on November 19, 2020, at which time the governing board of the school district will either grant or deny the charter. This Staff Report and Proposed Findings of Fact are published at least 15 days prior to that hearing and anticipated action.

#### **A. Background**

In Fall 2002, the University Preparation Charter School at CSU Channel Islands ("Charter School") opened its doors to students in grade levels pre-Kindergarten through eighth. The Charter School is a dual-language immersion program where students are taught in both Spanish and English at a 50-50 rate. The Board previously granted the Charter School's renewal petition in 2011 and 2016, for five year terms.

The Renewal Petition states that the Charter School's mission is to be a "collaborative community of innovative learners who seek out challenges and persevere toward individual and shared goals." The Charter School provides "multiple opportunities for students to thrive in a diverse and compassionate learning environment." According to the Renewal Petition, the Charter School's guiding principles are:

1. The Students create a positive community environment by exhibit ownership of their education through self-discipline and high expectations.
2. The Curriculum is standards-based, fosters critical thinking skills, and utilizes best educational practices. It includes instruction in the core subjects (Language Arts, Math, Science, Social Studies) as well as in Spanish, technology and the arts.

3. The Professional Community is dedicated to participating in on-going professional development that includes leadership capacity building, school-wide collaboration and articulation, communication of “best practices,” and team building experiences.
4. The Cooperating Community flourishes as a result of collaboration with CSUCI faculty and students, and because of strong relationships with involved and informed parents, with area districts, and with business that support the educational program.

The Charter School serves approximately 745 students in grade levels pre-Kindergarten through 8th grade. The students attending the Charter School mainly reside in the immediate neighborhood that the Charter School is located, and reflect a diversity in languages, cultures, needs, and socio-economic statuses. The Charter School serves a large Hispanic/Latino student population who make up 70.8 percent of the student population. (Petition at 13.)

## **B. Summary of Recommendation and Grounds for Renewal Petition**

This Report sets forth findings based upon a review of the Petition by the District staff and legal counsel and is published per Education Code section 47605, subdivision (b).

Finding 1: The Charter School presents a sound educational program for pupils to be enrolled in the Charter School.

Finding 2: The Petitioners are likely to successfully implement the program set forth in the Renewal Petition.

Finding 3: The Renewal Petition contains reasonably comprehensive descriptions of required elements.

Finding 4: The Renewal Petition contains Dashboard data demonstrating that the Charter School’s school-wide and subgroup performance are improving.

Finding 5: The Renewal Petition contains verified data evidencing measurable increases in the Charter School’s academic achievement.

Finding 6: Charter School is in overall good fiscal and governance health.

Based on Findings 1-6, the District recommends that the Governing Board approve the Renewal Petition.

## **CHARTER RENEWAL CRITERIA**

The Charter Schools Act of 1992 (“Act”) governs the creation of charter schools in the State of California. Renewal petitions are governed by the standards and criteria described in Education

Code section 47605 applicable to new petitions.<sup>1</sup> Additionally, Education Code sections 47607 and 47607.2 outline additional criteria applicable to renewal petitions.

#### **A. Education Code section 47605 Criteria**

The governing board may not deny a petition unless it sets forth specific facts to support one, or more, of the following five findings:

1. The charter school presents an unsound educational program for the students 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. The signature requirement does not apply to a renewal petition.
4. The petition does not contain an affirmation of certain specific conditions set forth in Education Code section 47605, subdivision (e).
5. The petition does not contain reasonably comprehensive descriptions of certain elements in its program and operations as set forth in Education Code section 47605, subdivision (c)(5)(A-O), which describes the following separate elements that must be addressed in every charter petition:
  - A. A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.
  - B. The measurable student outcomes identified for use by the charter school. “Student outcomes” means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.
  - C. The method by which student progress in meeting those student outcomes is to be measured.
  - D. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.
  - E. The qualifications to be met by individuals to be employed by the school.

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<sup>1</sup> (Ed. Code, § 47607, subd. (b).)

- F. The procedures that the school will follow to ensure the health and safety of students and staff.
- G. The means by which the school will achieve a racial and ethnic balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.
- H. Admission requirements, if applicable.
- I. The manner in which annual, independent, financial audits will be conducted, which will employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies will be resolved to the satisfaction of the chartering authority.
- J. The procedures by which students can be suspended or expelled.
- K. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
- L. The public school attendance alternatives for students residing within the school district who choose not to attend charter schools.
- M. A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.
- N. The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.
- O. The procedures to be used if the charter school closes.

In addition to these required elements, charter school petitions are also required to include discussion of the impact on the chartering district, including, the facilities to be utilized by the school, the manner in which administrative services will be provided, potential civil liabilities for the chartering school district, and a three year projected operational budget.<sup>2</sup>

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<sup>2</sup> (Ed. Code § 47605, subd. (g).)

## **B. Education Code sections 47607 and 47607.2 Renewal Criteria**

Charter schools are designated as “high,” middle,” or “low” performing depending on the charter schools performance on the California Dashboard.<sup>3</sup> For the current renewal cycle data file, the CDE has identified Charter School as a middle-performing charter school. As a middle-performing school, the Board may grant a 5-year renewal term.

For middle-performing schools, a chartering authority must consider the following in its renewal petition review process:

- A. The schoolwide performance and performance of all subgroups on the Dashboard, and provide “greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal”; and
- B. Clear and convincing evidence, demonstrated by verified data, showing either: (a) the school achieved measureable increases in academic achievement, as defined by at least one year’s progress for each year in school, or (b) strong postsecondary outcomes equal to similar peers.<sup>4</sup>

Since the Charter School serves students in pre-Kindergarten through 8th grade, there is a lack of verified data to show strong postsecondary outcomes equal to similar peers. Accordingly, the District relied on the most recent verified data provided by the Charter School to evaluate measurable increases in academic achievement in comparison to the data from the past school year.

### **FINDINGS**

#### **Finding 1: The Charter School presents a sound educational program for pupils to be enrolled in the Charter School.**

Petitioners indicate that the Charter School’s mission is to be a “collaborative community of innovative learners who seek out challenges and persevere toward individual and shared goals,” by providing “multiple opportunities for students to thrive in a diverse and compassionate learning environment.” (Petition at 12.) The Charter Schools’ student population is diverse and represents a community of learners with a range in backgrounds. (Petition at 13.) To support its students, the Charter School has developed an educational program that sufficiently meets the needs of a diverse student population by measuring the academic achievement of students through *John Hattie’s 2018 Updated List of Factors Related to Student Achievement*. (Petition at 14.) The Charter School also has a dual language/two-way immersion program where students receive instruction in both Spanish and English. (Petition at 24.)

Mathematics instruction is aligned with the Common Core State Standards and implemented by providing coherence across all grade level curriculum with rigor in conceptual understanding, procedural skill and fluency, and practical applications. (Petition at 20.) In an effort to focus on

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<sup>3</sup> (Ed. Code, §§ 47607, 47607.2.)

<sup>4</sup> (Ed. Code, § 47607.2, subd. (b).)

the Mathematics achievement of students, the Charter School had every Mathematics teacher participate in the following trainings during the 2018-2019 school year: a six-week lab inquiry cycle studying Mathematics instruction; training in the use of common MAC/MARS mathematics assessments; and training on the protocol for a school-wide “Problem of the Month” that was implemented to promote problem solving at all grade levels. (Petition at 20.) In ELA, students build knowledge through content-rich authentic experiences with high quality pieces of fiction and through experiences with information nonfiction text. (Petition at 20.) The science program engages students in local phenomena, educating them about the issues, and empowering them to take action by providing students with a fully equipped science laboratory, and integrating scientific investigations in the curriculum. (Petition at 22.) In Social Science, students are provided curriculum that is focused on project-based learning and lessons that are fair, accurate, inclusive, and provide respectful representations of the diversity in California. (Petition at 23.)

In sum, the Charter School presents a sound educational program for pupils enrolled in the charter school.

**Finding 2: The Petitioners are likely to successfully implement the program set forth in the Renewal Petition.**

In order to successfully implement the program described in the Renewal Petition, Petitioners must demonstrate that they are familiar with the content of the Renewal Petition and the requirements of laws applicable to the proposed school; present a realistic financial and operational plan; have the necessary background in areas critical to the charter school’s success, or have a plan for securing the services of individuals with the necessary background, including curriculum, instruction, assessment, finance and business management. The Renewal Petition includes comprehensive descriptions in all areas described in Finding 3, below. The Charter School’s current and anticipated enrollment is stable, the multi-year budget is consistent with program offerings and the Charter School has a demonstrated history of successfully implementing its program. During the renewal term, the Charter School intends to directly hire and deliver certain special education services. Based upon initial feedback from the District, the Charter School modified certain aspects of its Renewal Petition to affirm it is committed to delivering such services to students and working collaboratively with the District (as the Local Educational Agency) to ensure that special education services are appropriately delivered.

Based upon the information provided in the Renewal Petition, the Petitioners are demonstrably likely to successfully implement the educational program.

**Finding 3: The Renewal Petition contains reasonably comprehensive descriptions of required elements.**

The Renewal Petition contains detailed and comprehensive descriptions of required elements in Education Code section 47605, subdivision (c), as follows:

- (A) Educational Program. As addressed in Finding 1, the Renewal Petition provides a reasonably comprehensive description of the Educational Program.

- (B) Pupil Outcomes. As addressed in Findings 4 and 5, the Renewal Petition provides data of pupil outcome and progress of academic achievement.
- (C) Governance. The governance structure as provided in the Renewal Petition is sufficient and takes into account certain changes in the law since its last renewal.
- (D) Qualifications of School Employees. The Charter School employees meet the qualifications required under the Education Code and Renewal Petition takes into account certain changes in credentialing requirements since its last renewal.
- (E) Health and Safety Plan. The Renewal Petition sufficiently includes policies and procedures related to health and safety including, (i) that each employee of the Charter School furnish the Charter School with a criminal record summary; (ii) the development of a school safety plan; and (iii) that the school safety plan be reviewed and updated each year.
- (F) Plan for Achieving Racial and Ethnic Balance. The Renewal Petition provides student demographic data showing the Charter School has achieved and maintained a racial and ethnic balance that is reflective of the general population residing within the territorial jurisdiction of the District, along with a plan to maintain this balance.
- (G) Admission Requirements. The Renewal Petition sufficiently details enrollment and admission process and procedures.
- (H) Financial Audits. The Renewal Petition sufficiently describes the process and procedure for annual, independent, financial duties of the Charter School's books and records, which employ generally accepted accounting principles.
- (I) Suspension and Expulsion Procedures. The Renewal Petition sufficiently includes policies and procedures related to suspension and expulsion, which have been updated to take into account changes in the law since its last renewal.
- (J) Employee Retirement Benefits. The Renewal Petition sufficiently describes the retirement benefits coverage for Charter School employees, and provides for employees of the Charter School to participate in the federal social security system and/or will have access to other school-sponsored retirement plans. The Charter School participates in STRS and PERS.
- (K) Public School Attendance Alternatives. The Renewal Petition sufficiently provides assurance that any student enrolled in the Charter School does not have a right to admission into the District as a consequence of enrolling in the Charter School.
- (L) Return Rights of Employees. The Renewal Petition sufficiently includes a description of employees' return rights. Specifically, the Renewal Petition states that no school District employee must be required to work at the Charter School, and that any school

District employee that leaves District employment to work at the Charter School will not have automatic rights to return to the District.

- (M) Dispute Resolution. The Renewal Petition sufficiently includes dispute resolution procedures where disputes arise relating to provisions of the Charter.
- (N) Closure Procedures. The Renewal Petition includes procedures to be used if the charter closes that ensure a final audit of the Charter School to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

**Finding 4: The Renewal Petition contains Dashboard data demonstrating that the Charter School’s school-wide and subgroup performance are improving.**

A charter authority evaluating a middle-performing school must first consider school-wide performance and performance of all subgroups on the Dashboard, and shall provide “greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.”<sup>5</sup> The Dashboard data is based on a scale of colors with Blue being the best/highest rating and Red as the worst/lowest rating. The spectrum in highest to lowest is as follows: Blue, Green, Yellow, Orange, and Red.

**A. Overall Dashboard Performance**

The Dashboard summary provides that the Charter School performed in 2019<sup>6</sup> in comparison to the statewide data as follows:

1. English Language Arts (“ELA”): Green
2. Mathematics: Orange
3. Suspension rate: Blue
4. Chronic Absenteeism: Yellow

**B. ELA Dashboard Performance**

Based on these ratings, there is evidence that the Charter School is performing satisfactorily in comparison to statewide data, and is academically achieving well in ELA. In review of the subgroups for ELA, no subgroup decreased in percentage points and most subgroups have increased in percentage points from the 2017 and 2018 data. While one subgroup is excelling in ELA with a Green score, many others subgroups are identified as Yellow and, thus, demonstrating an average achievement level in comparison to statewide data.

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<sup>5</sup> (Ed. Code, § 47607.2, subd. (b).)

<sup>6</sup> Note, the most recent Dashboard data is from the 2018-2019 school year. Dashboard data for the 2019-2020 school year was not assessed statewide given the school closures due to COVID-19.

### **C. Mathematics Dashboard Performance**

In review of the subgroups for Mathematics, each subgroup has either maintained or increased its percentage points in relation to the 2017 and 2018 data. The Charter School's overall Mathematics performance is Orange. As a middle-performing school, a majority of the Charter School's subgroups are identified as Yellow or Green in comparison to statewide data. Additionally, at the October 15, 2020 public hearing and in the Renewal Petition, the Charter School provided information of its efforts to work towards higher Dashboard ratings in Mathematics, such as Mathematics training for teachers and new student engagement strategies.

### **D. Suspension Rate Dashboard Performance**

The overall suspension rate for the Charter School in comparison to statewide data is at its best in Blue. This is a substantial increase from 2018's overall suspension rating of Orange. All subgroups are either in Green or Blue for 2019.

### **E. Chronic Absenteeism Dashboard Performance**

The Charter School's chronic absenteeism rating in comparison to statewide data has maintained Orange from 2018 to 2019. A majority of subgroups show a Yellow rating in 2019, whereas two subgroups are in Orange.

Based on the Dashboard performance, the Charter School is overall meeting or exceeding the averages in statewide data results and in a majority of subgroups.

### **Finding 5: The Renewal Petition contains verified data evidencing measurable increases in the Charter School's academic achievement.**

The chartering authority must consider for a middle-performing school is clear and convincing evidence, demonstrated by verified data, showing the school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school. In essence, the chartering authority must consider whether the charter school academically progressed from the previous school year. The following is based on the Dashboard data, California Assessment of Student Performance and Progress ("CAASPP"), and additional data provided by the Charter School.

#### **A. Verified Data: Dashboard**

The Dashboard data provided two areas of academic measurable performance for the Charter School in 2018 and 2019. In 2018, the Charter School was rated Yellow in ELA and Orange in Mathematics. In 2019, the Charter School was rated Green in ELA and Orange in Mathematics. Based on these Dashboard ratings, the Charter School achieved a measurable increase in its ELA achievement from 2018 to 2019 by matriculating to Green from Yellow in 2019. Although the Charter School did not move up a tier color in Mathematics, it maintained its tier color and academic performance from 2018 to 2019 as Orange.

## **B. Verified Data: CAASPP**

The Charter School provided its CAASPP results for the 2016-2017, 2017-2018, and 2018-2019 school years. The data is categorized by ELA and Mathematics results and further categorized by subgroups. The ELA results show that all measurable percentages for each subgroup have increased to higher academic achievement, as well as the overall achievement percentage. As to Mathematics, the overall achievement percentage lowered in the 2018-2019 school year, but not in a statistically concerning way. The subgroup percentage results demonstrate a majority of subgroups have achieved higher percentage results.

## **C. Verified Data: NWEA MAP Assessment Suite**

The Charter School provided NWEA MAP Assessment Suite data that compares the Charter School's fall assessments in 2018 and 2019. The Charter School did not have data for 2020 due to school closure as a result of the COVID-19 pandemic. This data is categorized into grade levels 1 through 8 for ELA-reading and Mathematics, and shows grade level growth in comparison to grade level norms projected growth. The core curriculum at the Charter School is taught in two languages by way of its dual-immersion program, which means students are taught academic content in English and Spanish at a 50-50 rate. A majority of the grade levels from 4 through 8 are meeting or exceeding the grade-level norms projected growth in both Mathematics and ELA-reading. While observed growth is below grade level norms for third grade, this is explained by the transition in reading skills and that students are participating in a dual immersion program. By fourth grade, students are observed to be at grade level norms.

Based on the verified data, the Charter School is demonstrating academic achievement in comparison to prior years' data.

## **Finding 6: Charter School is in Overall Good Fiscal and Governance Health.**

The Charter School demonstrates it is in overall good fiscal health. As to governance and operations, the Charter School has complied with and made appropriate modifications to its governance and operations as requested by the District. Accordingly, the Charter School demonstrates it is in overall good governance health.

## **RECOMMENDATION**

Based on the foregoing, the District's recommendation is that the Governing Board approve the Charter School's Renewal Petition.