

**FINDINGS OF FACT AND RECOMMENDATIONS REGARDING CHARTER PETITION RENEWAL
FOR
ASPIRE ALEXANDER TWILIGHT SECONDARY ACADEMY**

NOVEMBER 30, 2020

INTRODUCTION

On September 22, 2020 Aspire Alexander Twilight Secondary Academy (“ATSA”) submitted a charter school renewal petition to the San Juan Unified School District (“district”). This renewal petition was submitted for a five year term starting July 1, 2021 and continuing through June 30, 2026. ATSA has been in operation since September 2009 and has been an independent charter school authorized by the District since 2012. ATSA serves students in grades 6-12.

The Board of Education held a public hearing on October 13, 2020 to hear from the petitioners and consider the level of support for the petition. The district charter review team has thoroughly studied the charter renewal petition and ATSA has provided all necessary information, additions and/or changes requested during the review process. Under new state law (AB 1505) resulting in Education Code section 47605(b), district staff recommendations, including the recommended findings, will be published 15 days prior to the public hearing at which the Board of Education will take action to either grant or deny the charter renewal petition.

APPLICABLE LAW

Education Code section 47607, subdivision (b) states that “[r]enewals and material revisions of charters are governed by the standards and criteria described in 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.” The Board of Education may deny a renewal petition if the charter school fails to meet the standard for renewal outlined within the *Criteria for Renewal* Education Code section 47605. A renewal petition shall not be denied unless the district makes written factual findings that support one or more of the following findings:

- (1) The charter school presents an unsound educational program for students during the term of its charter. (Education Code section 47605(c)(1).)
- (2) The charter school is demonstrably unlikely to successfully implement the program set forth in the petition. (Education Code section 47605(c)(2).)
- (3) The petition does not contain the necessary affirmations set forth in the Charter Schools Act. (Education Code section 47605(c)(4).)

- (4) The petition does not contain reasonably comprehensive descriptions of the 15 required elements set forth in the Charter Schools Act. (Education Code 47605(c)(5).)
- (5) The 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 for purposes of Chapter 10.7 (commencing with section 3540) of Division 4 of Title 1 of the Government Code.

SUMMARY OF FINDINGS OF FACT

1. For a charter school's renewal petition to be approved, it must present a sound educational program for its students, based on the past performance of the charter school. Under new state law (AB1505) Education Code 47607, a charter authorizer must consider the charter school's performance on indicators included in the California School Dashboard when evaluating a renewal petition. This new renewal process creates three tiers of renewal:
 - a. High Performing Charter Schools
 - b. Middle Performing Charter Schools
 - c. Low Performing Charter Schools

A school's identification as belonging to one of the above tiers is determined by the California Department of Education ("CDE") based on Dashboard data. The CDE publishes the list of charter schools and their renewal tiers.

Aspire Alexander Twilight Secondary Academy falls in the Middle Performing tier. Schools in the Middle Performing tier may be renewed for a term of five years. (Education Code 47607.2(b).)

When evaluating charter schools that are in this tier, authorizers shall consider schoolwide 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. The authorizer shall also consider clear and convincing evidence, demonstrated by verified data, showing either the school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school, or strong postsecondary outcomes equal to similar peers. In addition, authorizers shall consider "verified data" for renewal of charter schools. According to Education Code section 47607.2(c), "verified data" is defined as "data derived from nationally-recognized, valid, peer-reviewed, and reliable sources that are externally produced," including postsecondary outcomes. (A list of valid and reliable assessments will be adopted by CDE by January 1, 2021. Until that time charter schools can present data consistent with what is considered "verified" data).

On June 29, 2020, Governor Newsom signed the 2020 Budget Act and accompanying budget-implementing legislation, including Senate Bill (SB) 98 (Chapter 24, Statutes of 2020), the Education Omnibus Trailer Bill. Included in this bill is the following: “The new renewal standards in Education Code sections 47607 and 47607.2 that depend on Dashboard indicators and state-average performance levels for the two consecutive years immediately preceding renewal have been modified for renewals that would depend on such results for 2019-2020 since there will be no results for that year. In those cases, the renewal standards are now keyed to the results in two of the three years immediately preceding renewal.”

After analyzing the Dashboard data, the review team found the following results in overall performance level and significant subgroup performance level. (In the renewal petition, charter element “Measurable Student Outcomes”, ATSA provides a detailed comparison to San Juan Unified School District and similar schools within San Juan Unified School District).

For both academic performance areas, English Language Arts (ELA) and Math there was an increase or significant increase from 2017 to 2018. In ELA “All Students” maintained from 2018-2019, with mixed results from the significant subgroups during that same time. In Math all areas decreased or decreased significantly from 2018-2019. ATSA adopted a new math curriculum, Eureka Math, in the 2018-2019 school year. The dip in math performance was expected and typical with a new curriculum adoption as teachers and students adapt to the new materials. The school anticipates increased results as the new program is integrated across the school. Based on the Dashboard results for 2019, and because of the status level of “very low” for the student groups of “Two or more races” and “Students with disabilities”, ATSA is eligible for Additional Targeted Support and Improvement (ATSI). Per CDE, “[s]chools are eligible for ATSI if they are among schools eligible for TSI and if any student group at the school, on its own, meets the criteria for the lowest-performing 5 percent of Title 1 schools for CSI. As a result of COVID-19, Senate Bill 98 eliminated the Local Control and Accountability Plan (LCAP) for the 2020-2021 school year. ATSA is developing the 2020-2021 Single Plan for Student Achievement (SPSA) that addresses ATSI. The SPSA is scheduled to be approved by the Aspire board on January 28, 2021.

ATSA shared with the review team a draft of the SPSA strategies and activities that are being used to address the performance gaps. ATSA has worked closely with the El Dorado County SELPA in drafting their plan to support students with special needs. The plan includes, but is not limited to, the following:

- *Provide small group instruction for scholars that need additional support. Each teacher will facilitate small groups in order to provide all scholars additional support from their ELA and Math teachers.

- *Hold after school tutoring sessions, as well as homework helper hour to provide extra support to all students that need it.

*Administer ongoing assessments and implement a systemic review of student ELA and Math data through the use of a cycle of inquiry protocol and/or other protocols so that targeted ELA and Math supports can be provided to students in need of additional support.

*Develop and implement antiracist and social justice programming within the advisory curriculum.

*Provide professional development for general education and special education teachers on how to support students with disabilities, plan for accommodations/modifications in instruction, and plan effective lesson design.

*Implement a co-teaching model with general education & special education teachers, develop a master schedule that enhances the effectiveness of a co-teaching service delivery model. Support this model through targeted professional development, training, and collaboration time for staff.

Education Code section 47604.32 identifies the oversight duties of a charter authorizer, including a visit to each charter school at least annually and ensuring that each charter school under its authority complies with all reports required of charter schools by law. In carrying out the oversight duties, the charter authorizer representatives will continue to monitor academic performance through the annual report (informational report due in May of each year - Education Code section 47604.33) and the LCAP and any other reports required by CDE (i.e. Learning Continuity Plan, SPSA, etc.) in order to verify that the charter school is taking meaningful steps to improve academic performance.

On October 27, 2020 a district representative conducted a virtual renewal visitation to the charter school to verify the implementation of the educational program, visit classrooms and meet with ATSA and Aspire staff. The representative observed standards based lessons in all classrooms. The staff discussed the challenges around the newly adopted 6th – 8th grade mathematics curriculum, as well as professional development efforts during the 2020-2021 school year. Staff also discussed the co-teaching model of special education staff pushing in and teaching with general education staff. Also discussed were the one year priorities the charter school adopted for 2020-2021 that are aligned to the goals, outcomes and actions of the Aspire-wide goals, outcomes and actions. These priorities are: Academic Recovery, Re-opening and Resilience.

The district's charter review team has thoroughly studied the charter renewal petition and has determined that ATSA has provided the necessary evidence and plans to improve student academic performance to meet this requirement for renewal.

2. For a charter school's renewal petition to be approved, it must provide evidence that it has the capacity to implement the program set forth in the petition. This includes (but is not limited to) a sound financial and administrative plan, a description of facilities (including location(s) and current and projected availability), etc.

The district's charter review team has thoroughly studied the charter renewal petition and has determined that ATSA has provided the necessary evidence in the petition to meet this requirement for renewal.

3. For a charter school's renewal petition to be approved, it must include the necessary affirmations set forth in the Charter Schools Act. (Education Code section 47605(c)(4).)

The district's charter review team has thoroughly studied the charter renewal petition and has determined that ATSA has provided the necessary affirmations in the petition to meet this requirement for renewal.

4. For a charter school's renewal petition to be approved, it must contain reasonably comprehensive descriptions of the 15 required elements set forth in the Charter Schools Act. (Education Code section 47605(c)(5).)

The district's charter review team has thoroughly studied the charter renewal petition and has determined that ATSA has included reasonably comprehensive descriptions of the 15 required elements set forth in the Charter Schools Act.

5. For a charter school's renewal petition to be approved, it must contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

The district's charter review team has thoroughly studied the charter renewal petition and has determined that ATSA has included the appropriate declaration.

CONCLUSION AND RECOMMENDATION

Accordingly, based on the above findings, the district's charter review team recommends to the superintendent that the renewal petition for Aspire Alexander Twilight Secondary Academy be granted for a term of five years, commencing on July 1, 2021 and continuing through June 30, 2026.