

**FINDINGS OF FACT AND RECOMMENDATIONS REGARDING CHARTER PETITION RENEWAL
FOR
GATEWAY INTERNATIONAL SCHOOL**

FEBRUARY 8, 2021

INTRODUCTION

On November 30, 2020 Gateway International School (“GIS”) 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. GIS is an independent charter school authorized by the District since 2013. GIS serves students in grades TK-8.

The Board of Education held a public hearing on January 12, 2021 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 GIS 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.

Gateway International School 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.

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”, GIS provides a comparison to San Juan Unified School District and similar schools within San Juan Unified School District). GIS made measurable increases in academic achievement in both English Language Arts (ELA) and Math during the previous two years 2017-2018 and 2018-2019. These increases also occurred with all significant subgroups.

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, etc.) in order to verify that the charter school is taking meaningful steps to improve academic performance.

During the week of September 28, 2020 thru October 2, 2020, a district representative conducted virtual classroom visitations at GIS. These visitations, conducted across grade levels, verified the implementation of the educational program outlined in the renewal petition. The representative observed standards based lessons in all classrooms, as well as cohesive practices and strategies that support the International Baccalaureate (IB) Programme. On October 29, 2020, a district representative visited GIS Principal Joi Tikoi and Gateway Community Charters Deputy Superintendent Jason Sample at the school site. During this visit, staff discussed the implementation of a hybrid model of return to in-person learning and the supports provided to practitioners and students. In addition, the representative toured the school and observed classes in progress, the safety measures put in place for students in class and during recesses, and the recent facility updates done in collaboration with SJUSD.

The district’s charter review team has thoroughly studied the charter renewal petition and has determined that GIS presents a sound educational program as evidenced by student academic performance and therefore meets 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 GIS 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 GIS 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 GIS 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 GIS 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 Gateway International School be granted for a term of five years, commencing on July 1, 2021 and continuing through June 30, 2026.