



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 9.2

Meeting Date: March 15, 2018

Subject: Consider Resolution No. 2995 or 2996: Renewal Charter Petition for Bowling Green Charter School

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading
- Conference/Action
- Action
- Public Hearing

Division: Academic Office

Recommendation: To take action to approve or deny the Renewal Charter Petition for Bowling Green Charter School.

Background/Rationale: Sacramento City Unified School District received Bowling Green Charter School's renewal charter petition on January 19, 2018. (Charter petition expiration date: June 30, 2018) District staff met with Bowling Green Charter School for a capacity interview on January 31, 2018 and conducted a comprehensive review of the renewal charter petition and related submissions. The Governing Board held a public hearing in accordance with Education Code Section 47605 (b) and 47607 (a) (2) to consider the level of support for the renewal charter petition of Bowling Green Charter School on February 1, 2018. The staff's analysis will be presented for Board Action on March 15, 2018.

Financial Considerations: The financial considerations are outlined within the Executive Summary.

LCAP Goal(s): Family and Community Empowerment

Documents Attached:

1. Executive Summary
2. Resolutions 2995 and 2996
3. Charter Petition (Proposed): <http://www.scusd.edu/charter-petitions>
4. Petitioner Submitted Written Analysis Response: <http://www.scusd.edu/charter-petitions>

Estimated Time of Presentation: 10 minutes

Submitted by: Iris Taylor, Chief Academic Officer

Jack Kraemer, Innovative Schools and Charter Oversight, Director

Approved by: Jorge A. Aguilar, Superintendent

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I. Overview/History

A. *Action Proposed*

On January 19, 2018, the Sacramento City Unified School District (“District”) received a renewal charter petition (“Renewal Petition”) from Bowling Green Charter School (“Bowling Green” or “Charter School”), a dependent public charter school of the District, seeking renewal of its charter for a five year period, from July 1, 2018 through June 30, 2023.

District Staff recommends that Sacramento City Unified School District Board of Education (“Board”) conference and take action to approve or deny the Renewal Petition under the California Charter Schools Act, with due consideration of the findings in this Report.

B. *History*

Bowling Green is a charter school serving students in grades kindergarten through 6th grade. The Charter School is located at 4211 Turnbridge Dr. and 6807 Franklin Blvd., Sacramento, California, on District-owned property. (Renewal Petition, p. 12). The Charter School consists of two small learning communities: the Ken McCoy Academy for Excellence (“McCoy”) and the Chacon Language and Science Academy (“Chacon”). (Renewal Petition, p. 11). As of the 2016-2017 school year, Bowling Green had a total enrollment of 824 students.

The District originally approved the Charter School’s charter in 1993, for a term of five years, beginning on July 1, 1993 and expiring on June 30, 1998. Since that time, the Charter School’s charter has been renewed four times, and is now set to expire on June 30, 2018. Pursuant to Education Code section 47605, subdivision (b), a public hearing was held on February 1, 2018, to consider the level of support for the renewal of the Charter School’s charter.

After reviewing the Renewal Petition, District Staff provided Bowling Green with a letter, dated February 20, 2018, identifying a number of recommended revisions, updates and/or clarifications to the Renewal Petition. In response, the Charter School submitted an addendum to the Renewal Petition and provided additional information to the District addressing District Staff’s concerns and recommendations. This Report sets forth findings based upon a review by District Staff and legal counsel of the Renewal Petition as well as the supplemental information submitted to the District by Petitioner.

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II. Driving Governance

A. Academic Performance Criteria

As a prerequisite to the renewal process, the Charter School must provide documentation with its Renewal Petition showing that the Charter School has satisfied at least one of the following academic performance criteria specified in Education Code section 47607, subdivision (b) (5 CCR § 11966.4(a)(1).):

1. That the Charter School has attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all groups of pupils served by the Charter School; or
2. That the Charter School ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years; or
3. That the Charter School ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years; or
4. That the District determines that the academic performance of the Charter School is at least equal to the academic performance of the public schools that the Charter School pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the Charter School is located, taking into account the composition of the pupil population that is served at the Charter School.

Education Code sections 52052(e)(2)(F) and 52052(e)(4) provide three alternatives to be used by schools and school districts that, because of the suspension of the majority of the California Standards Tests in 2013-2014, do not have a API calculated for years beyond 2013-2014. Those alternatives are: (1) the most recent API calculation; (2) an average of the three most recent annual API calculations; or (3) an alternative measure that shows increases in pupil academic achievement for all groups of pupils school-wide and among significant student groups.

B. Review Process for Renewal Petition; Grounds for Denial

The Board of Education may deny a renewal petition if the charter school fails to meet the minimum standard for renewal, or if the Board of Education finds that:

- 1) The charter school presents an unsound educational program for students during the term of its renewal charter; or

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- 2) The charter school is demonstrably unlikely to successfully implement the program set forth in the renewal petition; or
- 3) The renewal petition does not contain the necessary affirmations; or
- 4) The renewal 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 purpose of Chapter 10.7 of Division 4 of Title 1 of the Government Code; or
- 5) Where changes to the charter school's operations are proposed, the renewal petition does not contain reasonably comprehensive descriptions of the 15 required elements set forth in the Charter Schools Act.

If the Board of Education denies the Renewal Petition, the Board must adopt written findings of facts based on any of the above mentioned criteria or standards. In addition, the District "shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal." Ed. Code § 47607(a)(3)(A). The Board must also consider "the past performance of the school's academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement if any." (5 CCR § 11966.4(b)(1))

Charter school petitions are also required to include discussion of the impact on the chartering district, including, the facilities to be utilized by a proposed charter school, the manner in which administrative services will be provided, potential civil liabilities for the school district, and a three year projected operational budget and cash flow. (Ed Code, § 47605, subd. (g)).

A charter may be renewed an unlimited number of times; however, each renewal must be for exactly five years. (Ed. Code, § 47607). If a school district fails to make written factual findings to support a denial within 60 days of the district's receipt of a petition, the charter school's petition is automatically renewed. (5 CCR, §11966.4(c).)

III. Results of Petition Review (Findings of Fact Determinations)

A. Academic Performance Criteria Met by Charter School

Petitioner provides data in the Renewal Petition demonstrating that the Charter School has met at least three of the statutory prerequisite criteria for renewal set forth in Education Code section 47607, subdivision (b).

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With respect to *Criterion 1* (Ed. Code, § 47607(b)(1)), the Renewal Petition lists the following API scores for the Charter School: 767 (2010-2011); 774 (2011-2012); 773 (2012-2013); and 764 (2013-2014). The Renewal Petition and data retrieved from the California Department of Education (“CDE”) website indicate that these API scores give the Charter School a weighted three-year average API of 768, thus supporting the Charter School’s assertion that it has met statutory *Criterion 1*.

Data presented in the Renewal Petition also indicates that the Charter School has met *Criterion 3* (Ed. Code, § 47607(b)(3)), as it received a “similar schools” API ranking of 7 for years 2010-2013 and an 8 for 2013-2014. (Renewal Petition, p. 46).

The Renewal Petition also indicates that the Charter School has met *Criterion 4* (Ed. Code, § 47607(b)(4)). While the Charter School’s academic performance is generally lower than the District as a whole, the Charter School generally academically outperforms comparable District schools. (Renewal Petition, pp. 41-45).

2016-2017 SBAC	SCUSD	Chacon	McCoy	Parkway	Woodbine	Pacific
ELA	39%	23%	26%	20%	12%	16%
Math	31%	18%	29%	17%	11%	17%

B. Increases in Pupil Academic Achievement

As discussed above, the Board “shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.” Ed. Code § 47607(a)(3)(A). Review of the Charter School’s academic achievement, both schoolwide and by pupil subgroup shows that the results are generally favorable, with the Charter School outperforming, or performing equivalent to, comparable District schools. While the overall academic performance of Bowling Green pupils is generally trending up, District Staff will continue to monitor the Charter School’s performance closely over the course of the charter term, with an expectation of further increases in academic achievement schoolwide and across all pupil subgroups.

1. Schoolwide Academic Achievement

a. McCoy

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For McCoy, the Renewal Petition includes data from the 2014-2015 CAASPP Smarter Balanced assessments (“SBAC”), indicating that, 30% of McCoy students met or exceeded standards for ELA and 18% met or exceeded standards for Math. (Renewal Petition, pp. 44-45).

McCoy’s achievement on the 2015-2016 SBAC, increased, with 31% of McCoy students meeting or exceeding standards for ELA and 28% meeting or exceeding standards for Math. (Renewal Petition, pp. 44-45).

For the 2016-2017 SBAC assessments, 26% of McCoy grade students met or exceeded standards for ELA and 29% met or exceeded standards for Math. When compared to SCUSD students of the same grade levels, McCoy’s students attained slightly lower overall levels of achievement in Math (29% as compared to 31%) and lower overall levels of achievement in ELA (26% as compared to 39%). However, McCoy outperformed all three District comparison schools in both ELA and Math. (Renewal Petition, pp. 44-45).

b. Chacon

For Chacon, the Renewal Petition includes data from the 2014-2015 SBAC assessments, indicating that, 23% of Chacon students met or exceeded standards for ELA and 14% met or exceeded standards for Math. (Renewal Petition, pp. 41-42).

The Charter School’s achievement on the 2015-2016 SBAC decreased, with 20% of Chacon students meeting or exceeding standards for ELA and 14% meeting or exceeding standards for Math. (Renewal Petition, pp. 41-42).

For the 2016-2017 SBAC assessments, 23% of Chacon students met or exceeded standards for ELA and 18% met or exceeded standards for Math. When compared to SCUSD students at the same grade level, the Charter School’s students attained lower overall levels of achievement in Math (18% as compared to 31%) and lower overall levels of achievement in ELA (23% as compared to 39%). However, Chacon outperformed all three District comparison schools in both ELA and Math. (Renewal Petition, pp. 42-43).

c. Bowling Green Schoolwide Performance

Data retrieved from the CDE website indicates, that schoolwide, on the 2014-2015 SBAC assessments, 24% of Bowling Green’s students met or exceeded standards for ELA and 17% met or exceeded standards for Math.

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During the 2015-2016 school year, schoolwide achievement levels improved, 27% of the Charter School's students met or exceeded standards for ELA and 22% met or exceeded standards for Math.

In the 2016-2017 school year, Bowling Green experienced a slight decrease in ELA performance and a slight increase in Math proficiency schoolwide. Of the Charter School's students, nearly 25% of students met or exceeded standards for ELA and 24% met or exceeded standards for Math.

2. Academic Achievement by Subgroup

a. McCoy

For African American students at McCoy, SBAC data for 2014-2015 to 2016-2017 indicates that ELA performance has decreased (35% to 27%) and Math performance has increased (11% to 26%). (Renewal Petition, pp. 44-45).

Asian students at McCoy have shown increased proficiency in both ELA and Math from 2014-2015 to 2016-2017. Specifically, in ELA the scores increased from 21% to 35% and the Math scores increased from 21% to 36% for Asian students over the last three years. (Renewal Petition, pp. 44-45).

From 2014-2015 to 2016-2017, Hispanic or Latino students at McCoy have seen increases in both ELA and Math proficiency. ELA performance increased from 21% to 22% and Math performance increased from 18% to 27% over this three year period. (Renewal Petition, pp. 44-45).

McCoy's EL ("English Learner") students increased from 2014-2015 to 2016-2017. EL students increased their ELA proficiency (13% to 14%) and Math proficiency (12% to 14%). (Renewal Petition, pp. 44-45).

The SPED (Special Education) students at McCoy experienced decreases in academic performance during 2014-2015 to 2016-2017. SPED students' proficiency in ELA dropped (31% to 12%) and Math proficiency dropped (8% to 7%). (Renewal Petition, pp. 44-45).

McCoy's socioeconomically disadvantaged students experienced decreased proficiency in ELA during 2014-2015 to 2016-2017 (30% to 25%) and increased proficiency in Math (20% to 29%).

b. Chacon

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At Chacon, Hispanic or Latino students experienced slight improvements in ELA (21% to 22%) and Math (14% to 16%) during 2014-2015 to 2016-2017. (Renewal Petition, pp. 41-42).

For EL students, slight increases have occurred in both ELA and Math (7% to 9%) 2014-2015 to 2016-2017. (Renewal Petition, pp. 41-42).

SPED students at Chacon have increased proficiency in both ELA and Math from 2014-2015 to 2016-2017. ELA performance has increased (0% to 6%), and Math performance has increased (0% to 12%). (Renewal Petition, pp. 41-42).

Socioeconomically disadvantaged students at Chacon have experienced slightly lower ELA proficiency (27% to 23%) from 2014-2015 to 2016-2017. However, socioeconomically disadvantaged students have shown increased proficiency in Math (12% to 16%) over the last three years. (Renewal Petition, pp. 41-42).

C. District Staff Review of Renewal Petition

District Staff reviewed the following elements in the originally-submitted Renewal Petition:

- A) Educational Program
- B) Measurable Student Outcomes
- C) Assessment of Measurable Outcome Goals
- D) Governance and Legal Issues
- E) Employee Qualifications
- F) Health and Safety Procedures
- G) Means to Achieve a Racial and Ethnic Balance
- H) Admissions Requirements
- I) Financial and Programmatic Audit
- J) Student Discipline, Pupil Suspension and Expulsion Procedures
- K) Retirement System
- L) Attendance Alternatives
- M) Description of Employee Rights
- N) Dispute Resolution Process, Oversight, Reporting and Renewal
- O) Labor Relations
- P) School Closure Procedures

District Staff also reviewed the impact on the District as described in the original Renewal Petition.

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Following its review of the originally-submitted Renewal Petition, District Staff recommended revisions and additional information to improve the Renewal Petition. Specifically, District Staff noted deficiencies or incomplete information regarding the following: (1) the Charter School's educational program; (2) the Charter School's governance; (3) qualifications of employees; (4) the recruitment procedures used by Bowling Green; (4) the suspension and expulsion procedures; (5) the dispute resolution procedures; and (6) the Charter School's procedures for school closure.

As noted above, Petitioner submitted supplemental information to the District addressing the concerns identified in the District's letter.

Specifically, the Petitioner submitted additional information identifying what it means to be educated in the 21st century and provided additional information regarding the curriculum used at the Charter School. Petitioner also provided additional information regarding Bowling Green's governance by providing the Steering Committee's bylaws and information regarding the Committee's trainings.

Clarification was provided regarding the credentialing requirements for all Charter School staff. All teachers at the Charter School will have valid and appropriate CCTC credentials. Petitioner also provided clarification regarding the Charter School's recruitment policies and procedures. While a detailed recruitment plan was not provided, District Staff will continue to provide oversight to ensure recruitments for diversity.

Petitioner's supplemental information clarifies that suspension and expulsion procedures will be in accordance with District policies and the California Education code. The Charter School also provided clarification that it will follow the District's Uniform Complaints Procedure. Since 2015, the Charter School has not received any Uniform Complaints or Office of Civil Rights Complaints.

Additional information was also provided regarding the Charter School's procedures for school closure. Specifically, the Charter School sets forth procedures to notify the District and parents in the event of a school closure and to ensure that records and information about enrollment options in other schools is provided to students of the Charter School.

Petitioner has affirmed that the information contained in these responses to the District's written evaluation will supersede all provisions in the originally submitted Renewal Petition and will be incorporated as an addendum to the originally submitted Renewal petition.

Based on the results of the District Staff's review of the Renewal Petition and the supplemental information submitted by Petitioner, District Staff has concluded that all of the required elements are reasonably comprehensive individually and collectively. As discussed above, District Staff

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has also concluded that Bowling Green meets the prerequisite statutory requirements for renewal set forth in Education Code section 47607, subdivision (b).

IV. Budget

State income and various other income sources to the District are reduced when students living in District boundaries enroll at a charter school.

V. Goals, Objectives and Measures

Not Applicable.

VI. Major Initiatives

Not Applicable.

VII. Results

District Staff recommends that the Board approve Resolution 2995 to approve the Renewal Petition or approve Resolution 2996 to deny the Renewal Petition under the California Charter Schools Act.

VIII. Lessons Learned/Next Steps

If the Renewal Petition is approved by the Board, the District, as the charter authorizer, will provide continued oversight by conducting annual visits and programmatic audits to review the Charter School's academic achievement, as well as records of past performance and future plans regarding academics, finances, and operations.

The Renewal Petition and supplemental information is available online at:

<http://www.scusd.edu/charter-petitions>

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 2995
RESOLUTION TO APPROVE THE RENEWAL CHARTER PETITION OF
BOWLING GREEN CHARTER SCHOOL**

WHEREAS, petitioners for Bowling Green Charter School (“Petitioners”) submitted to Sacramento City Unified School District (“District”) a renewal charter petition (“Petition”), dated January 19, 2018; and

WHEREAS, the District’s Governing Board held a public hearing on February 1, 2018 and took board action on March 15, 2018; and

WHEREAS, the Governing Board has considered the level of public support for Bowling Green Charter School and has reviewed the Petition, including all supporting documentation; and

WHEREAS, in reviewing the Petition, the Governing Board has been guided by the intent of the California Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged; and

WHEREAS, the District staff reviewed and analyzed the Petition and supporting documents for legal, programmatic, and fiscal sufficiency; and

NOW, THEREFORE, BE IT RESOLVED that the Sacramento City Unified School District Board of Education hereby adopts the Petitioner submitted Written Analysis Response and written Staff Report.

BE IT FURTHER RESOLVED, that the Petition is hereby approved.

BE IT FURTHER RESOLVED the term of the charter shall be for five (5) years, beginning on July 1, 2018 and expiring June 30, 2023.

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 15th day of March, 2018, by the following vote:

AYES: ____
NOES: ____
ABSTAIN: ____
ABSENT: ____
ATTESTED TO:

Jorge A. Aguilar
Secretary of the Board of Education

Jessie Ryan
President of the Board of Education

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 2996
RESOLUTION TO DENY THE RENEWAL CHARTER PETITION OF
BOWLING GREEN CHARTER SCHOOL**

WHEREAS, petitioners for Bowling Green Charter School (“Petitioners”) submitted to Sacramento City Unified School District (“District”) a renewal charter petition (“Petition”), dated January 19, 2018; and

WHEREAS, the District’s Governing Board held a public hearing on February 1, 2018 and took board action on March 15, 2018; and

WHEREAS, the Governing Board has considered the level of public support for Bowling Green Charter School and has reviewed the Petition, including all supporting documentation; and

WHEREAS, in reviewing the Petition, the Governing Board has been guided by the intent of the California Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged; and

WHEREAS, the District staff reviewed and analyzed the Petition and supporting documents for legal, programmatic, and fiscal sufficiency; and

NOW, THEREFORE, BE IT RESOLVED that the Sacramento City Unified School District Board of Education hereby adopts the Petitioner submitted Written Analysis Response and written Staff Report.

BE IT FURTHER RESOLVED, that the Petition is hereby denied.

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 15^h day of March, 2018, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____
ATTESTED TO:

Jorge A. Aguilar
Secretary of the Board of Education

Jessie Ryan
President of the Board of Education