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Superintendent

fresno county superintendent of schools

To: Fresno County Board of Education

From: Fresno County Superintendent of Schools Charter School Petition Review Committee

Subject: Committee Report Regarding the Kepler Neighborhood Charter School Renewal Charter Petition

Date: March 2, 2021

The Fresno County Superintendent of School's (FCSS) Charter School Petition Review Committee (Charter Committee) has reviewed Kepler Neighborhood School's (KNS) renewal petition which was submitted to the Fresno County Board of Education (FCBE) on December 21, 2020 (Renewal Petition). The purpose of this Committee Report is to provide a detailed discussion of the Charter Committee's review, concerns, and findings related to the Renewal Petition.

I. BACKGROUND:

Lead petitioner Julie Rodriguez, Executive Director, is applying to the FCBE on behalf of KNS for a renewal of its charter school. The Renewal Petition covers the period from July 1, 2021 through June 30, 2026. Each member of the FCBE has received a copy of the Renewal Petition, and a public hearing was conducted on February 18, 2021. A site visit was conducted as a part of the petition review on Thursday, February 4, 2021.

FCBE assumed authorization of KNS July 1, 2018, granting a three-year approval of KNS as an appealed denied renewal petition from Fresno Unified School District. KNS began serving students under FCBE authorization during the 2018-2019 school year.

KNS serves approximately 400 students in a seat-based program for grades Transitional Kindergarten (TK) through 8th grade. KNS's site is located at 1462 Broadway, Fresno, CA 93721 in downtown Fresno.

II. CHARTER RENEWAL CRITERIA:

In accordance with Education Code (EC) section 47607, which establishes the criteria for granting charter renewals, the Charter Committee reviewed the Renewal Petition. The Renewal Petition was reviewed based on the standard(s) set forth in EC sections 47605, 47607, and 47607.2 the full text of which is attached to this report as Attachment A.

Under the new (AB 1505) charter renewal criteria, charter schools are classified into one of the following three categories based on criteria set forth in EC 47607 and 47607.2: High Performing (See EC 47607(c)), Low Performing (See EC 47607.2(a)), or Middle Performing (See EC 47607.2(b)). Depending on the classification of the charter, the renewal analysis differs.

Low Performing Charter Analysis Applies to KNS (EC 47607.2(a))

Based on the criteria set forth in EC 47607.2(a), KNS was identified as a Low-Performing Charter School as reflected on the Charter School Performance Category List. EC 47607.2(a) states that:

*. . . if the two consecutive years immediately preceding the renewal decision include the 2019–20 school year, the chartering authority shall not renew a charter if **either of the following apply** for two of the three years immediately preceding the renewal decision:*

(Criteria 1) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(Criteria 2) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.

Pursuant to Criteria 2 as set forth in EC 47607.2(a)(2), KNS has been classified as Low Performing (See Section IV below). Because KNS has been classified as a Low Performing charter based on the applicable facts, the Renewal Petition may only be granted if both of the following findings are made and are supported by specific facts:

*(1) The charter school is **taking meaningful steps** to address the underlying cause or causes of low performance, and those steps **are reflected**, or will be reflected, in a **written plan** adopted by the governing body of the charter school.*

And

*(2) There is clear and convincing evidence showing . . . [t]he **school achieved measurable increases in academic achievement**, as defined by at least one year's progress for each year in school.*

In addition to the petition review and in accordance with California Code of Regulations (CCR) section 11966.4(b)(1), consideration regarding past performance of the school's academics, finances, and operation has been used to evaluate the likelihood of the future success of KNS as well as KNS's future plans for improvement. Information regarding KNS's past performance has been collected through statutory

data submission and through the regular interaction that has occurred between KNS and FCSS through the current charter term. Throughout the charter term, FCSS's Educational Services, Business Services, Human Resources, Legal Services, and Support Services Departments have been involved in the annual site visits (EC section 47604.32(b)) and ongoing oversight and support provided to KNS.

A virtual site visit was conducted as a part of the petition review on February 4, 2021.

III. CHARTER PETITION REVIEW COMMITTEE ANALYSIS:

A summary of the Charter Committee's analysis related to the criteria set forth in EC 47605(c) is provided in the following table. The table includes page numbers to indicate where supporting information is found in the Renewal Petition. Charter Committee comments are provided where needed for clarity.

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
1.	The KNS Renewal Petition provides evidence of a sound educational program.	The Renewal Petition describes the educational program adopted and implemented by KNS. KNS believes that "all students can achieve their fullest potential with consistent, targeted support and a strong school community working together with families...KNS is focused on preparing grade TK-8 students in both character and academics by providing a high-quality, rigorous educational program" (pg 34). KNS has adopted 4C's (Character, Competence, Community, and Creativity) and the Renewal Petition describes how those are applied in the educational program (pgs 40-41). The Renewal Petition describes the application of MTSS to the KNS educational program (pgs 61-65). The Educational Program does not include disaggregated local assessment data describing the performance of Hispanic and Socio-Economically Disadvantaged (SED) student groups. The gap between the overall State CAASPP scores and these two groups resulted in KNS being categorized a Low-Performing School on the Charter School Performance List (See EC 47607.2 above). The lack of inclusion of the disaggregated data limits the ability of the committee to adequately determine the impact of the educational program on the two student groups identified as low performing.		X

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
2.	The petitioners are demonstrably likely to successfully implement the program set forth in the Renewal petition.	<p><u>Leadership</u> The KNS Leadership team consists of an Executive Director (Julie Rodriguez), Chief Business Officer (Rickie Dhillon), Director of Student Services and Special Education (Dr. Nikki Lovelace), and Principal (Rachel Kuhtz). The Employee qualifications for leadership positions listed in Element 5 of the Renewal Petition “prefer” but do not require a California Administrative Services Credential. The California Education Code does not require a California Administrative Services Credential to lead or operate a charter school in California. There are however nuances in the operations of public (including charter) schools in California that require a working knowledge of laws that apply specifically to California public schools. This includes Local Control Funding Formula (LCFF) <i>Base, Supplemental, and Concentration</i> expenditure requirements and reporting. California public schools are required to document LCFF expenditures in a Local Control Accountability Plan (LCAP). The LCAP includes goals, metrics, outcomes, and allocated expenditures. The KNS LCAP is Appendix B in Tab 4 of the Renewal Petition.</p> <p><u>Academic Achievement</u> Based on CAASPP student outcomes during the 2017-18 and 2018-19 school years KNS was categorized a Low Performing Charter on the Charter School Performance List. This was due to this Hispanic and SED student groups performing below the statewide averages for those student groups. KNS's schoolwide student population demonstrated growth in English-Language Arts and Mathematics between the 2018 and 2019 SBAC testing administration. KNS students demonstrated growth between the Fall 2019 and Fall 2020 administrations of the Northwest Educational Association (NWEA) assessment. NWEA has been recognized by the California State Board of Education as a reliable assessment of student performance. The action</p>	X	

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
		<p>plan included in the Renewal Petition did not adequately address the needs of the identified student groups.</p> <p><u>Fiscal Management:</u> The charter committee, per the MOU Required Materials submissions, reviews KNS's annual independent audit. The most recent audit report received was from the 2018-2019 school year. The annual audit report for the 2019-2020 school year is not due until March 2021. Audit reports have reported no findings associated with KNS student attendance reporting, record keeping, and fiscal operations.</p>		
3.	The Petition contains the number of signatures required by subdivision (a).	This is not required for renewals. California Code of Regulations (CCR) 11966.4(a)(2)(A) states: <i>The signature requirement set forth in Education Code section 47605(a) is not applicable to a petition for renewal.</i>	N/A	
4.	The Renewal Petition contains an affirmation of each of the conditions described in EC section 47605(e)	Affirmations and Declarations are found on pages 4-7 of the Renewal Petition. The Renewal Petition contains all required affirmations.	X	
5.	The Renewal Petition contains reasonably comprehensive descriptions of all of the following elements:			
	A. (i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The	The description of the educational program contains the required components as noted in EC section 47605(c)(5) as well as addresses annual goals and associated actions related to the eight state priorities associated with the Local Control Funding Formula and Common Core State Standards. Element 1 contains a partial description of the educational program on pages 33-78. Element 1 includes a description of the KNS Instructional Design Framework. The Renewal Petition outlines the Goals, Actions, and Measurable Outcomes in Elements 2 and 3.	X	

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
	<p>goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.</p> <p>(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.</p> <p>(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform</p>			

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
	<p>parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.</p>			
	<p>B. The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and</p>	<p>The Renewal Petition describes pupil outcomes aligned with the eight state priorities in Elements 2 and 3 on pages 79-117. Goals, Actions, and outcomes for Hispanic and SED students do not reflect targeted efforts or measurable outcomes to address performance gaps between schoolwide outcomes and outcomes for the two student groups that categorized KNS a Low Performing Charter School. Examples include Goals and Outcomes on pages 83, 85, 87, 89, 91, 93, and 103-107. The Measurable outcomes and actions associated with achieving the measurable outcomes do not reflect an</p>		X

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
	attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.	equitable approach to addressing learning gaps. The defined measurable outcomes for the Hispanic and SED student groups, if achieved, will continue to render the significant outcome gaps that exist at KNS. Local assessment data reflected in the Renewal Petition do not reflect student group-level outcomes or analysis. Pages 70-117		
	C. The method by which pupil progress in meeting those pupil outcomes is to be measured.	Element 3 of the KNS Renewal Petition identifies the methods by which pupil progress will be measured. This description includes the method of assessment. The Renewal Petition describes how the charter will respond to schoolwide analyses of assessment data but does not describe an analysis of assessment outcomes by student group, particularly the Hispanic and SED student groups. The Renewal Petition states that pursuant to EC 47606.5 KNS will develop and adopt a Local Control Accountability Plan, which shall update the goals and annual actions to achieve the goals in alignment with the State Priorities, on the approved LCAP template. During the COVID pandemic during the 2020-21	X	

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
		school year, KNS developed a Learning Continuity and Attendance Plan (LCP). Pages 70-117		
	D. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.	Element 4 of the KNS Renewal Petition describes the organization structure, leadership structure, leadership duties, parent involvement, and compliance with the Brown Act. The current Board Chairperson of Kepler Education Inc. is Eric De Jong. The Executive Director of KNS is Julie Rodriguez. Pages 118-127	X	
	E. The qualifications to be met by individuals to be employed by the school.	Element 5 of the Renewal Petition describes the qualifications to be met by employees of KNS. An organizational chart is included on page 123 in Element 4 of the Renewal Petition. Staff resumes are located within Tab 7 of the Renewal Petition. Additional specific requirements for teachers, administration, and other employees are included in the Renewal Petition. Pages 128-144	X	
	F. The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following: (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237. (ii) The development of a school safety plan,	Element 6 of the Renewal Petition includes detailed procedures for maintaining a safe and healthy environment for pupils and staff. The Renewal Petition states that KNS shall adopt a state-required schoolwide safety plan prior to March 1 each year. Pages 145-149	X	

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
	<p>which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282. (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.</p>			
	<p>G. The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.</p>	<p>Element 7 of the Renewal Petition describes the means by which KNS will implement a student recruitment strategy that attempts to achieve a balance in student demographics reflective of students residing within the territorial jurisdiction of Fresno Unified School District.</p> <p>Pages 150-153</p>	X	
	<p>H. Admission policies and procedures, consistent with</p>	<p>Element 8 of the KNS Renewal Petition describes KNS's non-discrimination statutes, open enrollment process, admission and enrollment</p>	X	

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
	subdivision 47605(e).	procedures, and public random lottery process should it become necessary. Pages 154-157		
	I. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.	Element 9 of the KNS Renewal Petition describes the process KNS applies for conducting a financial audit annually. The Renewal Petition describes the qualifications of the auditor and the timeline for completing and submitting the audit report to the County Superintendent. KNS submits copies of completed internal audits to the County Superintendent's office each year. Page 158	X	
	J. The procedures by which pupils can be suspended or expelled.	Element 10 of the KNS Renewal Petition describes the procedures by which pupils can be suspended or expelled from KNS for disciplinary reasons or as required by EC 47605(c)(5)(J). Pages 159-181	X	
	K. The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.	Element 11 of the KNS Renewal Petition describes 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. Page 182	X	
	L. The public school attendance alternatives for	Element 12 of the KNS Renewal Petition describes public school attendance alternatives for	X	

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
	pupils residing within the school district who choose not to attend charter schools.	students residing within the school district who choose not to attend the charter school. Page 183		
	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.	Element 13 of the KNS Renewal Petition states that no employee of the County Superintendent or school district shall be required to work at KNS. Additionally, employees who leave the County Superintendent's office or a school district to work for KNS have no guaranteed return rights to the County Superintendent's office or school district. Page 184	X	
	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.	Element 14 of the KNS Renewal Petition describes the procedures to be followed by the charter school and charter authorizer to resolve disputes relating to the provisions of the charter. Pages 185-186	X	
	O. A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the 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	Element 15 of the KNS Renewal Petition includes a description of the procedures to be used if the charter school closes. Pages 187-189	X	

	Criteria	Committee Comments	Meets Criteria	
			Yes	No
	maintenance and transfer of pupil records.			
6.	A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.	The Renewal Petition includes an affirmation that Kepler Education, Inc. declares that it shall be deemed the exclusive public school employer of the employees of KNS for the purposes of the Educational Employment Relations Act. Page 4 of the Renewal Petition	X	

IV. CHARTER SCHOOL ACADEMIC PERFORMANCE

A summary of the Charter Committee's analysis related to the academic performance renewal criteria set forth in EC 47607 and 47607.2 is provided in this Section.

KNS came to the FCBE on appeal after Fresno Unified School District denied their renewal charter petition. The FCBE approved the KNS appeal for renewal based on a new administration, improved academic outcomes, and an increased focus on academic achievement. As an extraordinary effort as a charter department, the Director of Charter Schools made monthly visits to KNS to observe the instructional program. Very soon after the start of the first school year as an FCBE authorized charter, KNS made administrative changes and experienced changes in their board of directors.

KNS has been classified as **Low Performing** because (1) KNS has received performance levels schoolwide that are the same or lower than the state average on all measurements of academic performance, and (2) their Hispanic and Socio-Economically Disadvantaged student groups performed below the state average for two of the last three years in ELA and Mathematics (Criteria 2)(See EC 47607.2(a)(2)(B)). Student groups considered for these criteria are those that historically perform below statewide averages for all students on the CAASPP assessment. Statewide, this list of student groups includes English-Learners, Foster Youth, American-Indian, Students with Disabilities, African-American, Hispanic, Homeless Youth, and Socio-Economically Disadvantaged student groups. The applicable charter must have enough students in a student group (at least 30) to receive a color on the dashboard.

If a majority of student groups who historically perform below the statewide average, have "Status" scores below the statewide average, the charter is categorized as Low-Performing. The information below includes KNS's student-group performance data that categorized KNS as a Low-Performing charter.

Student Scores
California Accountability Dashboard (Status)

English Language Arts

Student Group	KNS 2018	California 2018	Fresno USD 2018
All Students	40.3 Points Below Standard	6 Points Below Standard	38.3 Points Below Standard
White	10.1 Points Above Standard	27.7 Points Above Standard	2.7 Points Above Standard
Hispanic	65.6 Points Below Standard	31.3 Points Below Standard	44.4 Points Below Standard
Socio-Economically Disadvantaged	61 Points Below Standard	34.7 Points Below Standard	45.2 Points Below Standard
English Learners*	78.1 Points Below Standard	47.1 Points Below Standard	56 Points Below Standard
African-American*	119.5 Points Below Standard	51.8 Points Below Standard	71.3 Points Below Standard
Two or More Races*	89.8 Points Below Standard	28.6 Points Above Standard	20 Points Below Standard

*Group Did Not Receive a Dashboard Color (<30)

Mathematics

Student Group	KNS 2018	California 2018	Fresno USD
All Students	72.4 Points Below Standard	36.4 Points Below Standard	68.5 Points Below Standard
White	10.1 Points Above Standard	1 Point Below Standard	24.9 Points Below Standard
Hispanic	101 Points Below Standard	65.8 Points Below Standard	74.8 Points Below Standard
Socio-Economically Disadvantaged	93.6 Points Below Standard	64.7 Points Below Standard	74.7 Points Below Standard
English Learners*	98.7 Points Below Standard	69.9 Points Below Standard	77.2 Points Below Standard
African-American*	126 Points Below Standard	91.5 Points Below Standard	105.6 Points Below Standard
Two or More Races*	110.4 Points Below Standard	1.9 Points Above Standard	46.2 Points Below Standard

*Group Did Not Receive a Dashboard Color (<30)

English Language Arts

Student Group	KNS 2019	California 2019	Fresno USD 2019
All Students	38.3 Points Below Standard	2.5 Points Below Standard	34.1 Points Below Standard
White	34.3 Points Above Standard	30.7 Points Above Standard	4.8 Points Above Standard
Hispanic	65.6 Points Below Standard	31.3 Points Below Standard	39.4 Points Below Standard
Socio-Economically Disadvantaged	63 Points Below Standard	34.7 Points Below Standard	40.8 Points Below Standard
Students with Disabilities	91.7 Points Below Standard	88.1 Points Below Standard	117.2 Points Below Standard
English Learners*	76.1 Points Below Standard	45.1 Points Below Standard	58.4 Points Below Standard
African-American*	88.5 Points Below Standard	47.6 Points Below Standard	67.5 Points Below Standard
Two or More Races*	56.2 Points Below Standard	30.3 Points Above Standard	15.9 Points Below Standard

*Group Did Not Receive a Dashboard Color (<30)

Mathematics

Student Group	KNS 2019	California 2019	Fresno USD 2019
All Students	65.3 Points Below Standard	33.5 Points Below Standard	62.1 Points Below Standard
White	17.6 Points Above Standard	1.4 Point Below Standard	22.6 Points Below Standard
Hispanic	102.8 Points Below Standard	65.8 Points Below Standard	68.1 Points Below Standard
Socio-Economically Disadvantaged	87.8 Points Below Standard	64.7 Points Below Standard	68.1 Points Below Standard
Students with Disabilities	113.6 Points Below Standard	119.4 points Below Standard	142.6 Points Below Standard
English Learners*	82.4 Points Below Standard	68.6 Points Below Standard	75 Points Below Standard
African-American*	117.4 Points Below Standard	87.9 Points Below Standard	96.4 Points Below Standard
Two or More Races*	41.9 Points Below Standard	2.5 Points Above Standard	41.3 Points Below Standard

*Group Did Not Receive a Dashboard Color (<30)

Student Scores
California Accountability Dashboard (Progress)

English Language Arts

Student Group	KNS 2019	Change from 2018
All Students	38.3 Points Below Standard	Maintained 1.5 Points
White	34.3 Points Above Standard	Increased 24.2 Points
Hispanic	65.6 Points Below Standard	Maintained 0.1 Points
Socio-Economically Disadvantaged	63 Points Below Standard	Maintained -1.9 Points
Students with Disabilities	91.7 Points Below Standard	Increased 7.8 Points
English Learners*	76.1 Points Below Standard	Maintained 2 Points
African-American*	88.5 Points Below Standard	Increased 31.1 Points
Two or More Races*	56.2 Points Below Standard	Increased 33.6 Points

Mathematics

Student Group	KNS 2019	Change from 2018
All Students	65.3 Points Below Standard	Increased 7.1 Point
White	17.6 Points Above Standard	Increased 42.5 Points
Hispanic	102.8 Points Below Standard	Maintained -1.8 Points
Socio-Economically Disadvantaged	87.8 Points Below Standard	Increased 5.8 Points
Students with Disabilities	113.6 Points Below Standard	Increased 16.3 Points
English Learners*	82.4 Points Below Standard	Increased 16.3 Points
African-American*	117.4 Points Below Standard	Increased 9.3 Points
Two or More *Races	41.9 Points Below Standard	Increased 68.4 Points

*Group Did Not Receive a Dashboard Color (<30)

Because KNS has been classified as a Low Performing charter as set forth herein, the KNS Renewal Petition may only be granted if both of the following findings are made and are supported by specific facts:

(1) *The charter school is **taking meaningful steps** to address the underlying cause or causes of low performance, and those steps **are reflected**, or will be reflected, in a **written plan** adopted by the governing body of the charter school.*

And

(2) *There is clear and convincing evidence showing . . . [t]he **school achieved measurable increases in academic achievement**, as defined by at least one year's progress for each year in school.*

KNS Has Adopted a Written Plan Setting Forth Meaningful Steps to Address the Underlying Causes of Low Performance

Upon review of the action plan presented in the Renewal Petition (pages 28-32), KNS proposed a broad action plan to address student outcomes based on 2019 CAASPP outcomes. The action plan in the Renewal Petition failed to address the two student groups whose performance placed KNS in Low-Performing status. During the petition review process, KNS leadership worked with an FCSS school improvement team to perform an intensive analysis of student outcomes, as well as the policies and practices that contributed to those outcomes. Through this accelerated but thorough process, the KNS leadership team developed a targeted action plan that was approved by the KNS board and submitted to the charter review team which is attached to this Report as Attachment B. This extraordinary step was specifically in response to the COVID-19 pandemic and the absence of standardized testing data in 2020 that caught all California schools off guard. The California State Board of Education did not develop an approved alternative list of verifiable assessments until January of 2021. The following charter committee recommendation and proposed action does not constitute a precedent or policy beyond the stated circumstances. The Charter Committee expects that KNS will implement the amended Action Plan (Attachment B).

KNS Achieved Measurable Increases in Academic Achievement

Over the course of this petition review, the Committee performed an extensive review of the Renewal Petition and supporting documents, the California Accountability Dashboard, and CDE's DataQuest reporting system. Additionally, committee members attended the FCBE Public Hearing for KNS on Thursday, February 18, 2021. Members of the Charter Committee have performed an extensive analysis of student data as well as the Renewal Petition. Additionally, committee members observed the public hearing to listen to speakers express views about the Renewal Petition. In the Renewal Petition, KNS provided an analysis of CAASPP and schoolwide local assessment (NWEA) data organized by grade level. KNS's presentation of schoolwide annual growth by grade-level (pg. 23) demonstrate that students (schoolwide average) are making at least one year's growth each year. Student group data presented below demonstrates that the

Socio-Economically Disadvantaged, Hispanic, and African-American student groups demonstrated one-year's growth between grade levels based on NWEA's normal grade level ranges. KNS made the transition to distance learning with all other Fresno County public schools in March of 2020. Based on Fall of 2020 NWEA scores, KNS supported students to effectively minimize learning losses between March and September of 2020.

**2020 Local Assessment Data
 NWEA Reading Performance 2019 & 2020**

All Students-Reading

NWEA Reading KNS Fall 2019-2020 Average RIT by Grade Level ALL STUDENTS			NWEA Normal Range for Grade Level	NWEA Normal Grade Level RIT 2020
Grade	Fall 2019	Fall 2020		
K	134.1	161	124-136-148	136.6
1	153.8	159.5	147-156-168	155.9
2	169.9	172.3	158-173-187	172.4
3	179.2	175.6	170-186-202	186.6
4	181.9	193.1	178-197-213	196.7
5	194.5	190.1	188-204-220	209.1
6	207.2	202.9	194-210-226	210.2
7	207.9	213.1	198-214-230	214.2
8	208.4	209.8	201-218-235	218

All Students-Mathematics

NWEA MATH Fall 2019-2020 Average RIT by Grade Level ALL STUDENTS			NWEA Normal Range for Grade Level	NWEA Normal Grade Level RIT 2020
Grade	Fall 2019	Fall 2020		
K	129.7	168	127-139-151	139.6
1	153.9	159.2	148-160-172	160
2	171.2	174.9	147-175-183	175
3	179.7	177.1	165-188-201	188.5
4	185.3	190.3	185-199-213	199.5
5	198.5	191.2	194-209-224	209.1

6	210.8	203.9	198- 214 -230	214.7
7	208	211.3	203- 220 -237	220.2
8	210.6	212.5	205- 224 -243	224.9

For KNS's Schoolwide NWEA Reading performance, each grade level performed within the normal range for the grade level indicating growth from one grade level to the next.

For Mathematics, each grade level performed within the normal range for the grade level except Grade 5. Students in Grade 5 performed 2.8 points below the normal range for Grade 5 defined by NWEA.

Socio-Economically Disadvantaged Student Group-Reading

NWEA Reading Kepler 2019-2020 Average RIT by Grade Level Socio-Economically Disadvantaged Students			NWEA Normal Range for Grade Level	NWEA Normal Grade Level RIT 2020
Grade	Fall 2019	Fall 2020		
K	135.4	161.1	124- 136 -148	136.6
1	153	161.2	147- 156 -168	155.9
2	169.5	171	158- 173 -187	172.4
3	180	172.8	170- 186 -202	186.6
4	174.8	192.4	178- 197 -213	196.7
5	193.7	187.2	188- 204 -220	209.1
6	202.7	200.1	194- 210 -226	210.2
7	207.8	208	198- 214 -230	214.2
8	208.2	207.5	201- 218 -235	218

Socio-Economically Disadvantaged Student Group-Mathematics

NWEA MATH Kepler 2019-2020 Average RIT by Grade Level Socio-Economically Disadvantaged Students			NWEA Normal Range for Grade Level	NWEA Normal Grade Level RIT 2020
Grade	Fall 2019	Fall 2020		
K	131	165.5	127- 139 -151	139.6
1	154	162.5	148- 160 -172	160
2	169.7	170.2	147- 175 -183	175
3	180.1	173.5	165- 188 -201	188.5
4	181	193.4	185- 199 -213	199.5

5	197.2	188.2	194- 209 -224	209.1
6	206.3	201.6	198- 214 -230	214.7
7	207	206.3	203- 220 -237	220.2
8	211.4	210.8	205- 224 -243	224.9

For KNS's Socio-Economically Disadvantaged student group NWEA **Reading** performance, each grade level performed within the normal range for the grade level indicating growth from one grade level to the next with the exception of Grade 5. Grade 5 students performed 0.8 points below the Grade 5 normal performance range defined by NWEA.

For KNS's Socio-Economically Disadvantaged student group NWEA **Mathematics** performance, each grade level performed within the normal range for the grade level indicating growth from one grade level to the next with the exception of Grade 5. Grade 5 students performed 5.8 points below the Grade 5 normal performance range defined by NWEA.

Hispanic Student Subgroup-Reading

NWEA Reading Kepler Fall 2019-2020 Average RIT by Grade Level Hispanic Students			NWEA Normal Range for Grade Level	NWEA Normal Grade Level RIT 2020
Grade	FALL 2019	FALL 2020		
K	138.9	158	124- 136 -148	136.6
1	151.6	160.4	147- 156 -168	155.9
2	166.1	173.1	158- 173 -187	172.4
3	174.1	176.5	170- 186 -202	186.6
4	180.7	187.6	178- 197 -213	196.7
5	191.7	193.4	188- 204 -220	209.1
6	211.2	197.2	194- 210 -226	210.2
7	206	211.1	198- 214 -230	214.2
8	208.4	204.3	201- 218 -235	218

Hispanic Student Group-Mathematics

NWEA MATH Kepler Fall 2019-2020 Average RIT by Grade Level Hispanic Students			NWEA Normal Range for Grade Level	NWEA Normal Grade Level RIT 2020
Grade	Fall 2019	Fall 2020		
K	129.6	164.3	127- 139 -151	139.6

1	155.1	160.6	148- 160 -172	160
2	173.4	182.7	147- 175 -183	175
3	180.5	179.2	165- 188 -201	188.5
4	180.6	190.7	185- 199 -213	199.5
5	192.3	191.4	194- 209 -224	209.1
6	203.8	199.4	198- 214 -230	214.7
7	203.8	205.5	203- 220 -237	220.2
8	204.5	208.2	205- 224 -243	224.9

For KNS's Hispanic student group NWEA **Reading** performance, each grade level performed within the normal range for the grade level indicating growth from one grade level to the next.

For KNS's Hispanic student group NWEA **Mathematics** performance, each grade level performed within the normal range for the grade level indicating growth from one grade level to the next with the exception of Grade 5. Students in Grade 5 scored 2.6 points below the normal range for Grade 5 defined by NWEA.

African-American Student Group- Reading

<i>NWEA Reading Kepler Fall 2019-2020 Average RIT by Grade Level African American Students</i>			NWEA Normal Range for Grade Level	NWEA Normal Grade Level RIT 2020
Grade	Fall 2019	Fall 2020		
K	130.5	161.3	124- 136 -148	136.6
1	145.4	153.8	147- 156 -168	155.9
2	166.1	167.9	158- 173 -187	172.4
3	180.2	169.5	170- 186 -202	186.6
4	180.7	206	178- 197 -213	196.7
5	197.8	185.7	188- 204 -220	209.1
6	205.8	202.6	194- 210 -226	210.2
7	208	210.5	198- 214 -230	214.2
8	209.4	211.2	201- 218 -235	218

African-American Student Group-Mathematics

NWEA MATH Fall 2019-2020 Average RIT by Grade Level African-American Students			NWEA Normal Range for Grade Level	NWEA Normal Grade Level RIT 2020
Grade	Fall 2019	Fall 2020		
K	122.9	170.2	127-139-151	139.6
1	142	152.5	148-160-172	160
2	163.5	166.6	147-175-183	175
3	179.5	168.9	165-188-201	188.5
4	182.5	193.6	185-199-213	199.5
5	201.2	189.4	194-209-224	209.1
6	210.5	202	198-214-230	214.7
7	207.1	209.4	203-220-237	220.2
8	208.6	217.1	205-224-243	224.9

For KNS's African-American student group NWEA **Reading** performance, five out of seven grade levels performed within the normal range for the grade level indicating growth from one grade level to the next in Fall of 2020. African-American students in Grade 3 performed 0.5 points below the normal range defined by NWEA. African-American students in Grade 5 performed 2.3 points below the normal range for Grade 5 defined by NWEA.

For KNS's African-American student group NWEA **Mathematics** performance, all grade levels performed within the normal range for the grade level indicating growth from one grade level to the next except Grade 5. African-American students in Grade Five performed 4.6 points below the normal range defined by NWEA.

If Renewed, the Renewal Term for a Low Performing Charter May Only Be 2 Years

If KNS is renewed as a Low Performing Charter, the FCBE may only grant a renewal for a period of two years (See EC 47607.2(a)(6)).

V. CHARTER PETITION REVIEW COMMITTEE FINDINGS and RECOMMENDATION:

Based on the facts set forth herein, the Charter Committee has determined that specific facts exist for the FCBE to make findings that would allow the FCBE to grant a two-year renewal to KNS. Based on local performance data and the development of a

targeted and equitable action plan (Attachment B) described in detail herein, the Charter Committee finds and recommends that the FCBE make the following findings:

- (1) KNS is taking meaningful steps to address the underlying cause or causes of low performance as reflected in a written plan adopted by the governing body of KNS.
- (2) There is clear and convincing evidence showing that KNS achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school.

The Charter Committee also recommends that the FCBE **conditionally approve** the Renewal Petition for a term of two (2) years beginning July 1, 2021 until June 30, 2023 subject to the conditions set forth in Section VI below.

Although the charter school is a Low-Performing charter, and thus a presumptive non-renewal, the committee believes that with the implementation of the action plan developed, KNS will continue to demonstrate improved schoolwide educational outcomes, and will demonstrate improved outcomes for its under-performing student groups.

VI. CONDITIONS OF APPROVAL

It is recommended that the FCBE make the approval of the KNS Renewal Petition based on KNS's agreement to comply with the following conditions:

1. On or before April 15, 2021, KNS shall enter into and execute a Memorandum of Understanding ("MOU") in the form and including the terms and conditions satisfactory to the FCBE or designee that will govern the FCBE's oversight of KNS, provide greater specificity regarding KNS's programs and operations, and address the conditions set forth in the Committee Report.
2. KNS shall comply with all obligations, including providing all required documentation and complying with all timelines and deadlines, set forth in the Action Plan which is attached as Attachment B to the Committee Report ("Plan")
3. KNS must appear before the FCBE in February, 2022 to provide an update on student performance and progress on the implementation of the approved action plan.
4. KNS must administer annual CAASPP testing each year if the California State Board of Education approves the administration of testing.
5. KNS must not submit their petition for renewal until Spring 2022 CAASPP testing results are available for public review.
6. KNS must agree that any failure(s) by KNS to comply with any provision of the Action Plan or any other condition set forth in Section VI shall constitute a material violation of the charter and shall become a ground for revocation of the charter.

ATTACHMENT A

Attachment A

Education Code section 47605 states:

(b) No later than 60 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 90 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. A petition is deemed received by the governing board of the school district for purposes of commencing the timelines described in this subdivision on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. The governing board of the school district shall publish all staff recommendations, including the recommended findings and, if applicable, the certification from the county superintendent of schools prepared pursuant to paragraph (8) of subdivision (c), regarding the petition at least 15 days before the public hearing at which the governing board of the school district will either grant or deny the charter. At the public hearing at which the governing board of the school district will either grant or deny the charter, petitioners shall have equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings.

(c) In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The governing board of the school district shall consider the academic needs of the pupils the school proposes to serve. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (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 number of signatures required by subdivision (a).*
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).*
- (5) The petition does not contain reasonably comprehensive descriptions of all of the following:*

- (A) (i) The educational program of the charter school, designed, among other things, to identify those whom the charter 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 pupils to become self-motivated, competent, and lifelong learners.
- (ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.
- (iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A to G” admissions criteria may be considered to meet college entrance requirements.
- (B) The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.
- (C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.
- (D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.
- (E) The qualifications to be met by individuals to be employed by the charter school.
- (F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:
- (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

(G) The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.

(H) Admission policies and procedures, consistent with subdivision (e).

(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain

enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(K) The manner by which staff members of the charter schools 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 pupils residing within the school district who choose not to attend charter schools.

(M) The rights of an 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 chartering authority to resolve disputes relating to provisions of the charter.

(O) The procedures to be used if the charter school closes. The procedures shall 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.

(6) 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.

(7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the following factors:

(A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.

(B) Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

(8) The school district is not positioned to absorb the fiscal impact of the proposed charter school. A school district satisfies this paragraph if it has a qualified interim certification pursuant to Section 1240 and the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim certification pursuant to Section 1240, has a negative interim certification pursuant to Section 1240, or is under state receivership. Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.

Education Code section 47607(a) through (e) relating to charter renewals states:

(a) (1) A charter may be granted pursuant to Sections 47605, 47605.5, 47605.6, and 47606 for a period not to exceed five years.

(2) A chartering authority may grant one or more subsequent renewals pursuant to subdivisions (b) and (c) and Section 47607.2. Notwithstanding subdivisions (b) and (c) and Section 47607.2, a chartering authority may deny renewal pursuant to subdivision (e).

(3) A charter school that, concurrently with its renewal, proposes to expand operations to one or more additional sites or grade levels shall request a material revision to its charter. A material revision of the provisions of a charter petition may be made only with the approval of the chartering authority. A material revision of a charter is governed by the standards and criteria described in Section 47605.

(4) The findings of paragraphs (7) and (8) of subdivision (c) of Section 47605 shall not be used to deny a renewal of an existing charter school, but may be used to deny a proposed expansion constituting a material revision. For a material revision, analysis under paragraphs (7) and (8) of subdivision (c) of Section 47605 shall be limited to consideration only of the impact of the proposed material revision.

(5) The chartering authority may inspect or observe any part of the charter school at any time.

(b) Renewals and material revisions of charters are governed by the standards and criteria described in Section 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.

(c) (1) As an additional criterion for determining whether to grant a charter renewal, the chartering authority shall consider the performance of the charter school on the state and local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.

(2) (A) The chartering authority shall not deny renewal for a charter school pursuant to this subdivision if either of the following apply for two consecutive years immediately preceding the renewal decision:

(i) The charter school has received the two highest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(ii) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or higher than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average.

(B) Notwithstanding subparagraph (A), if the two consecutive years immediately preceding the renewal decision include the 2019–20 school year, the chartering authority shall not deny renewal for a charter school if either of the following apply for two of the three years immediately preceding the renewal decision:

(i) The charter school has received the two highest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(ii) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or higher than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average.

(C) Notwithstanding subparagraphs (A) and (B), a charter school eligible for technical assistance pursuant to Section 47607.3 shall not qualify for renewal under this paragraph.

(D) A charter school that meets the criteria established by this paragraph and subdivision (a) of Section 47607.2 shall not qualify for treatment under this paragraph.

(E) The chartering authority that granted the charter may renew a charter pursuant to this paragraph for a period of between five and seven years.

(F) A charter that satisfies the criteria in subparagraph (A) or (B) shall only be required to update the petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and as necessary to reflect the current program offered by the charter.

(3) For purposes of this section and Section 47607.2, "measurements of academic performance" means indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 that are based on statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, the English Language Proficiency Assessments for California, or any successor system, and the college and career readiness indicator.

(4) For purposes of this section and Section 47607.2, "subgroup" means numerically significant pupil subgroups as defined in paragraph (1) of subdivision (a) of Section 52052.

(5) To qualify for renewal under clause (i) of subparagraph (A) or (B) of paragraph (2), subparagraph (A) of paragraph (1) or (2) of subdivision (a) of Section 47607.2, or paragraph (3) of subdivision (a) of Section 47607.2, the charter school shall have schoolwide performance levels on at least two measurements of academic performance per year in each of the two consecutive years immediately preceding the renewal decision. To qualify for renewal under clause (ii) of subparagraph (A) or (B) of paragraph (2), subparagraph (B) of paragraph (1) or (2) of subdivision (a) of Section 47607.2, or paragraph (3) of subdivision (a) of Section 47607.2, the charter school shall have performance levels on at least two measurements of academic performance for at least two subgroups. A charter school without sufficient performance levels to meet these criteria shall be considered under subdivision (b) of Section 47607.2.

(6) For purposes of this section and Section 47607.2, if the dashboard indicators are not yet available for the most recently completed academic year before renewal, the chartering authority shall consider verifiable data provided by the charter school related to the dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year.

(7) Paragraph (2) and subdivisions (a) and (b) of Section 47607.2 shall not apply to a charter school that is eligible for alternate methods for calculating the state and local indicators pursuant to subdivision (d) of Section 52064.5. In determining whether to grant a charter renewal for such a charter school, the chartering authority shall consider, in addition to the charter school's performance on the state and local indicators included in the evaluation rubrics adopted pursuant to subdivision (c) of Section 52064.5, the charter school's performance on alternative metrics applicable to the charter school based on the pupil population served. The chartering authority shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered pursuant to this paragraph and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The chartering authority may deny a charter renewal pursuant to this paragraph only upon making written findings, setting forth specific facts to support the findings that the closure of the charter school is in the best interest of pupils.

(d) (1) At the conclusion of the year immediately preceding the final year of the charter school's term, the charter school authorizer may request, and the department shall provide, the following aggregate data reflecting pupil enrollment patterns at the charter school:

(A) The cumulative enrollment for each school year of the charter school's term. For purposes of this chapter, cumulative enrollment is defined as the total number of pupils, disaggregated by race, ethnicity, and pupil subgroups, who enrolled in school at any time during the school year.

(B) For each school year of the charter school's term, the percentage of pupils enrolled at any point between the beginning of the school year and census day who were not enrolled at the conclusion of that year, and the average results on the statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, for any such pupils who were enrolled in the charter school the prior school year.

(C) For each school year of the charter school's term, the percentage of pupils enrolled the prior school year who were not enrolled as of census day for the school year, except for pupils who completed the grade that is the highest grade served by the charter school, and the average results on the statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, for any such pupils.

(2) When determining whether to grant a charter renewal, the chartering authority shall review data provided pursuant to paragraph (1), any data that may be provided to chartering authorities by the department, and any substantiated complaints that the charter school has not complied with

subparagraph (J) of paragraph (5) of subdivision (c) of Section 47605 or with subparagraph (J) of paragraph (5) of subdivision (b) of Section 47605.6.

(3) As part of its determination of whether to grant a charter renewal based on the criterion established pursuant to subdivision (c) and subdivisions (a) and (b) of Section 47607.2, the chartering authority may make a finding that the charter school is not serving all pupils who wish to attend and, upon making such a finding, specifically identify the evidence supporting the finding.

(e) Notwithstanding subdivision (c) and subdivisions (a) and (b) of Section 47607.2, the chartering authority may deny renewal of a charter school upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors, or is not serving all pupils who wish to attend, as documented pursuant to subdivision (d). The chartering authority may deny renewal of a charter school under this subdivision only after it has provided at least 30 days' notice to the charter school of the alleged violation and provided the charter school with a reasonable opportunity to cure the violation, including a corrective action plan proposed by the charter school. The chartering authority may deny renewal only by making either of the following findings:

(1) The corrective action proposed by the charter school has been unsuccessful.

(2) The violations are sufficiently severe and pervasive as to render a corrective action plan unviable.

EC 47607.2 states:

(a) (1) The chartering authority shall not renew a charter if either of the following apply for two consecutive years immediately preceding the renewal decision:

(A) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(B) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.

(2) Notwithstanding paragraph (1), if the two consecutive years immediately preceding the renewal decision include the 2019–20 school year, the chartering authority shall not renew a charter if either of the following apply for two of the three years immediately preceding the renewal decision:

(A) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(B) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.

(3) A charter school that meets the criteria established by this subdivision and paragraph (2) of subdivision (c) of Section 47607 shall only qualify for treatment under this subdivision.

(4) The chartering authority shall consider the following factors, and may renew a charter that meets the criteria in paragraph (1) or (2) only upon making both of the following written factual findings, specific to the particular petition, setting forth specific facts to support the findings:

(A) The charter school is taking meaningful steps to address the underlying cause or causes of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.

(B) There is clear and convincing evidence showing either of the following:

(i) The school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school.

(ii) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

(C) Clauses (i) and (ii) of subparagraph (B) shall be demonstrated by verified data, as defined in subdivision (c).

(5) Verified data, as defined in subdivision (c), shall be considered by the chartering authority until June 30, 2025, for a charter school pursuant to this subdivision, operating on or before June 30, 2020, only for the charter school's next two subsequent renewals.

(6) For a charter renewed pursuant to this subdivision, the chartering authority may grant a renewal for a period of two years.

(b) (1) For all charter schools for which paragraph (2) of subdivision (c) of Section 47607 and subdivision (a) of this section do not apply, the chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 and the performance of the charter school on the local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.

(2) The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.

(3) In addition to the state and local indicators, the chartering authority shall consider clear and convincing evidence showing either of the following:

- (A) The school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school.
- (B) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.
- (4) Subparagraphs (A) and (B) of paragraph (3) shall be demonstrated by verified data, as defined in subdivision (c).
- (5) Verified data, as defined in subdivision (c), shall be considered by the chartering authority for the next two subsequent renewals until January 1, 2026, for a charter school pursuant to this paragraph.
- (6) The chartering authority may deny a charter renewal pursuant to this subdivision only upon making written findings, setting forth specific facts to support the findings, that the charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school, that closure of the charter school is in the best interest of pupils and, if applicable pursuant to paragraphs (2) and (3), that its decision provided greater weight to performance on measurements of academic performance.
- (7) For a charter renewed pursuant to this subdivision, the chartering authority shall grant a renewal for a period of five years.
- (c) (1) For purposes of this section, "verified data" means data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced. Verified data shall include measures of postsecondary outcomes.
- (2) By January 1, 2021, the state board shall establish criteria to define verified data and identify an approved list of valid and reliable assessments that shall be used for this purpose.
- (3) No data sources other than those adopted by the state board pursuant to paragraph (2) shall be used as verified data.
- (4) Notwithstanding paragraph (3), a charter school under consideration for renewal before the state board's adoption pursuant to paragraph (2) may present data consistent with this subdivision.
- (5) Adoption of the criteria pursuant to this subdivision shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).
- (6) The state board may adopt and make necessary revisions to the criteria in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).
- (7) Upon adoption of a pupil-level academic growth measure for English language arts and mathematics, the state board may reconsider criteria adopted pursuant to this subdivision.
- (d) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Amended (as added by Stats. 2019, Ch. 486, Sec. 8) by Stats. 2020, Ch. 24, Sec. 45. (SB 98) Effective June 29, 2020. Repealed as of January 1, 2026, by its own provisions. See later operative version added by Sec. 9 of Stats. 2019, Ch. 486.)

ATTACHMENT B



Fresno County Superintendent of Schools
1111 Van Ness Avenue
Fresno, CA 93721

Dear Fresno County Board of Education and Superintendent Yovino:

The Kepler Neighborhood School Team is very appreciative of the opportunity to develop an action plan addendum to accompany the submitted charter renewal petition. It has been with the support of staff from the Fresno County Superintendent of Schools (FCSS) that Kepler has developed the action plan addendum.

In 2020-2021, Kepler is proudly serving 390 students in grades TK-8. The significant subgroups at Kepler are 61% Hispanic students, 18% African American or Black students, 14% white students, 82% socioeconomically disadvantaged (SED) students, and 8% students with disabilities. Using the Spring 2019 California School Dashboard, the Kepler Team determined that the SED students and the Hispanic students performed significantly lower on the 2019 SBAC in English Language Arts (ELA) and Math than our other subgroups. Since the most recent state data is the 2019 SBAC scores in ELA and in Math, Kepler has relied on the summative data of NWEA MAP to determine student subgroup progress and growth. Even with the COVID-19 school closures, the students overall have made increases on the NWEA MAP in both ELA and in Math by cohorts and did not demonstrate the distance learning and summer slide. However, the gap for our Hispanic and SED students is still significant using this measure. We know we must change our instructional practices and data usage.

The Kepler Team recognizes the need to improve all student scores and is focusing specifically on improving the scores of the SED students and Hispanic students. The Kepler Team has been actively meeting with the FCSS Coaching Team every day, and on holidays to develop the action plan addendum. It is through this process that Kepler has determined the root causes for the low academic achievement, and in turn, set the goals and developed the actions, strategies, and interventions to be used with students, stakeholders, and staff. We recognized the lack of structured systems with clear direction and the utilization of data to inform instruction. The Kepler Team values the feedback received from the Coaching Team on improving systems and structures, implement the base curriculum with fidelity, building in additional professional learning opportunities, holding data team conversations, analyzing data on a weekly basis, and adding another layer of accountability for administrators. The Kepler Team is confident that with the radical focus on student achievement on SED students and Hispanic students and the continued support provided by the FCSS Coaching and Accountability Teams, Kepler and the significant subgroups of SED students and Hispanic students will demonstrate continuous improvement.

Kepler Neighborhood School appreciates the support in the development of the action plan addendum and the opportunity to continue to do what is right for kids during the next charter term. All stakeholders, including administrators, teachers, staff, and our board, are committed to implementing the action plan with full dedication. We believe this plan will improve our students' success.

Gratefully,

Julie Rodriguez

Julie Rodriguez (Feb 17, 2021 14:51 PST)

Julie Rodriguez, M.Ed.
Executive Director



Description of Action Planning Process

The overall planning process to develop the action plan addendum to the Charter Renewal Petition included a lump and clump activity to determine recurring themes, a root cause analysis to identify the area of focus, an opportunity to serve as thought partners with FCSS staff, and most importantly, invaluable discussion and coaching on the use of resources and tools. The process began on January 26, 2021. Julie Rodriguez, Nikki Lovelace, Rickie Dhillon, and the Board President met with the FCOE staff of Dr. Jeffrey Hunt and Dr. Corey Greenlaw. The result of the meeting was that Kepler needed to directly focus on Socioeconomically Disadvantaged students (SED) and Hispanic students by developing an action plan addendum to the submitted charter renewal petition. Dr. Hunt and Dr. Greenlaw described how FCSS was going to help and support Kepler. They assigned a Coaching Team to provide support in leadership, assessment, and content. The coaches, Lori Willson (Lead) and Joe Valero will continue to provide support throughout the Action Plan activities to ensure alignment with the Charter School's needs based on the CDE's low-performance requirements. They also assigned an Accountability Team to provide accountability support through Action Plan development assistance and bi-monthly meetings to review progress. The Accountability Team, Abby Petropulos (Lead), and Jill Tafoya will ensure that Kepler receives differentiated assistance to fulfill the actions, strategies, and interventions of the action plan addendum.

On February 1, 2021, Julie Rodriguez established the Kepler Team, consisting of Julie Rodriguez (Lead), Nikki Lovelace, Rachel Kultz, Davian Figueroa, Danielle Hill, and Jay Nevin. She was provided the tool to conduct empathy interviews and direction on what data to collect. The FCSS team wanted the transcripts of the empathy interviews and the data by February 4, 2021. On February 2, 2021, Ms. Rodriguez and Ms. Kultz met with Joe Valero and Lorie Willson to discuss how they wanted the data presented. The Kepler data was submitted by the deadline, including 175 slides, to include demographic data, NWEA MAP by subgroup, IAB data by subgroup, SBAC by subgroup, and BPST and IXL usage by grade level. On February 5, 2021, the Coaching Team and the Kepler Team met to discuss the expectations and how to conduct the root cause analysis. The Kepler Team went through the process and completed a lump and clump activity to identify themes, a fishbone analysis to set the priorities for the action plan. The Kepler Team worked on the baseline data snapshot and the Distance From Standard (DFS) based on the California School Dashboard (Spring 2019). The Kepler Team met with the Coaching Team for a minimum of one hour every day. The Kepler Team also met on the weekend and with the Coaching Team on both February holidays. The Kepler Team has developed the Action Plan Addendum that has a radical focus on student achievement. The justification for the final Action Plan is focused on outcome (summative) data of SBAC and NWEA MAP, benchmark data of NWEA MAP and BPST, and formative (process) data of PLC, IAB, and IXL.

Kepler Data Baseline Snapshot

ELA

Distance from Standard CA Dashboard - ELA Indicator 2019

DFS CA Dashboard ELA	All	SED	Hispanic	African American	Students with Disabilities
Kepler	-38.8	-63	-65.5	-88.5	-91.7
State	-2.5	-30.1	-26.6	-47.6	-88.1
Difference from the State average	36.3	32.9	38.9	40.9	3.6
Kepler's Growth Goal Spring 2022	40	40	40	40	5

NWEA - Fall 2020

NWEA ELA Fall 2020	Black or African American			Hispanic or Latino			All Kepler			Normal Grade Level RIT
	Black or African American Average RIT by Grade Level	DF Normal Grade Level RIT	Distance from Normal Grade Level %	Hispanic or Latino Average RIT by Grade Level	DF Normal Grade Level RIT	Distance from Normal Grade Level %	ALL Kepler RIT Average by Grade Level	Distance From Normal Grade Level RIT	Distance from Normal Grade Level %	
Grade 1	153.8	2.1	1.35%	160.4	-4.5	-2.89%	159.5	-3.6	-2.31%	155.9
Grade 2	167.9	7.1	4.06%	173.1	1.9	1.09%	172.3	2.7	1.54%	175.0
Grade 3	169.5	17.1	9.16%	176.5	10.1	5.41%	175.6	11.0	5.89%	186.6
Grade 4	206	-9.3	-4.73%	187.6	9.1	4.63%	193.1	3.6	1.83%	196.7
Grade 5	185.7	23.4	11.19%	193.4	15.7	7.51%	190.1	19.0	9.09%	209.1
Grade 6	202.6	7.6	3.62%	197.2	13.0	6.18%	202.9	7.3	3.47%	210.2
Grade 7	210.5	3.7	1.73%	211.1	3.1	1.45%	213.1	1.1	0.51%	214.2
Grade 8	211.2	6.8	3.12%	204.3	13.7	6.28%	209.8	8.2	3.76%	218.0
Grade K	161.3	-24.7	-18.08%	158	-21.4	-15.67%	161.0	-24.4	-17.86%	136.6
Average RIT	181.1		4.89%	184.4		4.65%	185.8		3.73%	

Kepler Data Baseline Snapshot

Local Formative Assessment - IXL

Grade	SUM of ELA skills practiced	SUM of ELA skills proficient	SUM of ELA skills mastered	% of Proficiency
1	611	438	387	71.69%
2	1094	759	661	69.38%
3	190	102	76	53.68%
4	394	234	197	59.39%
5	542	337	282	62.18%
6	339	186	117	54.87%
7	399	231	115	57.89%
8	440	259	137	58.86%
K	624	467	414	74.84%
Grand Total	4633	3013	2386	
		65.03%	51.50%	

Kepler Data Baseline Snapshot

Math

Distance from Standard CA Dashboard - Math Indicator 2019

DSF CA Dashboard Math	All	SED	Hispanic	African American	Students with Disabilities
Kepler	-65.3	-87.8	-102.8	-117.4	-113.6
State	-33.5	-63.7	-62.2	-87.9	-119.4
Distance from the State	31.8	24.1	40.8	29.5	Above the state
Growth Goal by Spring 2022	40	40	40	40	5

NWEA Fall 2020 Math

NWEA MATH Fall 2020	Black or African American			Hispanic or Latino			ALL Kepler Students			Normal Grade Level RIT
	Black or African American Average RIT by Grade Level	DS Normal Grade Level RIT	Distance from Normal Grade Level	Hispanic or Latino Average RIT by Grade Level	DS Normal Grade Level RIT	Distance from Normal Grade Level %	ALL Kepler Students Average RIT by Grade Level	DS Normal Grade Level RIT	Distance Normal Grade Level %	
1	152.5	7.5	4.72%	160.6	-0.6	-0.36%	159.2	0.8	0.47%	160
2	166.6	8.4	4.79%	182.7	-7.7	-4.38%	174.9	0.1	0.06%	175
3	168.9	19.6	10.41%	179.2	9.3	4.95%	177.1	11.4	6.07%	188.5
4	193.6	5.9	2.96%	190.7	8.8	4.44%	190.3	9.2	4.62%	199.5
5	189.4	19.7	9.43%	191.4	17.7	8.46%	191.2	17.9	8.55%	209.1
6	202.0	12.7	5.92%	199.4	15.3	7.15%	203.9	10.8	5.01%	214.7
7	209.4	10.8	4.90%	205.5	14.7	6.66%	211.3	8.9	4.04%	220.2
8	217.1	7.8	3.46%	208.2	16.7	7.42%	212.5	12.4	5.51%	224.9
K	170.2	-30.6	-21.91%	164.3	-24.7	-17.72%	168.0	-28.4	-20.36%	139.6
Average RIT	180.9		5.82%	186.4		6.51%	186.5		4.29%	

Kepler Data Baseline Snapshot

Local Formative Assessment - IXL

Grade	SUM of Math skills practiced	SUM of Math skills proficient	SUM of Math skills mastered	% of Proficiency
1	725	503	439	69.38%
2	1290	825	735	63.95%
3	379	192	154	50.66%
4	574	309	268	53.83%
5	898	466	386	51.89%
6	1465	725	475	49.49%
7	1591	767	274	48.21%
8	1620	619	216	38.21%
K	773	575	527	74.39%
Grand Total	9315	4981	3474	
		53.47%	37.29%	

ELA Goal

SBAC - The Kepler team will improve DFS for all students as measured by the SBAC* and reported on CA Dashboard by June 2022, with a growth target of 40 points for SED and Hispanic students.
 * Per CDE assessment calendar

NWEA MAP: Kepler will improve grade level RIT scores for all students in reading with a growth target of 10 points for SED and Hispanic students as measured by NWEA MAP from Fall 2021 to Fall 2022.

	Target 1 - Annual Outcomes	Target 2 - Local Assessments	Target 3 - PL/Coaching	Target 4 - Administrative Activities
	What are the top 3 actions to support the growth of each subgroup 40 points in ELA?	What are the top 3 actions you need to take to ensure administration of the local assessments and data are used to inform decision making?	What are your professional learning and coaching needs to ensure the building of staff capacity and student growth?	What activities are needed by administrators to systems, policies, and structures are aligned with program needs?
ACTIONS, STRATEGIES, AND INTERVENTIONS USED WITH STUDENTS, STAKEHOLDERS, AND STAFF	<ol style="list-style-type: none"> Ensure fidelity to the base program Engage NY (New York) to fully implement the high-quality curriculum Use culturally responsive strategies to scaffold student learning and differentiate instruction for SED and Hispanic students as part of a balanced literacy approach Use data to inform instruction- increase teacher/staff/administration capacity to access, disaggregate, analyze, and utilize to inform instruction 	<ol style="list-style-type: none"> Administer and report local assessments including NWEA MAP aligned to the assessment schedule Adjust master schedules to allow for additional time for intervention, teacher collaboration, and focus on base program Host weekly Professional Learning Communities (PLC) to review identified assessment data, to disaggregate the data, to determine strategies that will be utilized to address the needs of SED and Hispanic students 	<ol style="list-style-type: none"> Ensure a trainer/consultant provides professional development to teachers and administrators on Engage NY Ensure a trainer/consultant provides coaching on culturally responsive pedagogy, balanced literacy, UDL, scaffolding, and differentiation for teachers, staff and administrators Ensure trainer/consultant provides ongoing training/coaching to support administration on data analysis, supporting teachers and staff through implementation of Engage NY, using culturally responsive strategies to scaffold student learning and differentiate instruction for SED and Hispanic students as part of balanced literacy approach <ol style="list-style-type: none"> Admin training and support in additional coaching with calibration walks, data, and curriculum Develop of clear and concise assessment system: <ol style="list-style-type: none"> establish routine/systems/protocols create a data teams- grade level and vertical and administrative data teams train educational staff and administration to access data and develop data literacy focusing on IXL, NWEA MAP, SBAC, BPST and other local assessments train educational staff (including - instructional coach, paraprofessionals) and administrators on data literacy train support staff with PowerSchool SIS to accurately input demographic data 	<ol style="list-style-type: none"> Monitor fidelity of curriculum implementation as evidenced by lesson plans, pacing guides, master schedule, and walk-throughs <ol style="list-style-type: none"> Provide timely feedback and support to teaching staff Prepare and present quarterly data to stakeholders <ol style="list-style-type: none"> quarterly to Kepler Board and PAC bi-monthly to the County Accountability Team A member of the admin team will be in attendance at Professional Development opportunities provided to staff and teachers to ensure shared understanding and implementation of strategies Administration Team will meet weekly to discuss: <ol style="list-style-type: none"> school operations data and school performance toward Action Plan addendum items walk-through results, plan staff meeting agendas to do for the week, benefiting communication issues and follow through, system implementation and accountability ideas structure agendas for admin meetings framed by the 4 PLC questions Administration will meet quarterly to: <ol style="list-style-type: none"> review PD schedules-when, how, how often, content audit and report demographic data (maybe more frequently at the start of the school year) check data cycles, assessment calendars and see if changes or adjustments need to be made Administration will meet annually at the beginning and closing of the school year to discuss: <ol style="list-style-type: none"> review and modify protocols/tools/checklists develop detailed planning of the school year leaving room to change when necessary determine data review cycles, create calendars (i.e. assessment calendars, master calendars, etc.) and master schedule, classroom schedules determine curricular needs for next school year Kepler administration will immediately: <ol style="list-style-type: none"> create protocols/tools/checklists to ensure staff understand what is expected of them create ways to communicate with staff (principal newsletter, staff meetings, when that communication will happen, how, how often, who) determine our evaluation cycles- who, when how often, and the format for evaluating educational staff review and update the Kepler schedule (assessment calendar including data checkpoints and accountability check-in, master calendar) Administration will meet with FCSS coaches, as per contracted days for: <ol style="list-style-type: none"> consultant check-ins classroom walk-through and feedback coaching FCSS network meetings continued develop and refine of the PLC model
Date Implem.	Spring 2021>>> Spring 2022	Fall 2021 Every 8 weeks	Spring 2021 >>> Spring 2022	Spring 2021 >>> Spring 2022
Personnel (Owner bold)	Kepler Leadership Team- Executive Director -3, Director of Student Services, Principal -1&2 Instructional Coach Educational staff, including paraprofessionals	Kepler Leadership Team- Executive Director, Director of Student Services 1&2, Principal Instructional Coach - 3 Educational staff IT Department	Kepler Leadership Team- Executive Director - 1, Director of Student Services, Principal- 2-4,a-e Instructional Coach Educational staff, including paraprofessionals Support staff	Kepler Leadership Team- 1-8 - Executive Director, Director of Student Services, Principal
Evidence	Stakeholder survey feedback Research the science behind the curriculum and its impact on significant populations- SED and Hispanic. Intervention rosters Pre-/ post- test results NWEA scores Revised Master Schedule	Copies of Mid-Quarter Results (8 times per year) to Parent/Guardian(s) Sample Progress Form Progress Monitoring Pre- and Post-Assessments	Meeting agendas, attendance, materials and summary pages, Post-training survey Lesson plans Classroom walk-through forms	Action Plan Rating for Implementation, Fidelity and Completion Admin meeting agendas and minutes Board Agendas and Minutes Stakeholder Surveys Calendars
Impact on learning/results (summary of impact of learning/training)				

Math Goal

SBAC - The Kepler team will improve DFS for all students as measured by the SBAC* and reported on CA Dashboard by June 2022, with a growth target of 40 points for SED and Hispanic students.

* Per CDE assessment calendar

NWEA MAP: Kepler will improve grade level RIT scores for all students in math with a growth target of 10 points for SED and Hispanic students as measured by NWEA MAP from Fall 2021 to Fall 2022.

Math	Target 1 - Annual Outcomes	Target 2 - Local Assessments	Target 3 - PL/Coaching	Target 4 - Administrative Activities
	What are the top 3 actions to support the growth of each subgroup 40 points in Math?	What are the top 3 actions you need to take to ensure administration of the local assessments and data are used to inform decision making?	What are your professional learning and coaching needs to ensure the building of staff capacity and student growth?	What activities are needed by administrators to systems, policies, and structures are aligned with program needs?
ACTIONS, STRATEGIES, AND INTERVENTIONS USED WITH STUDENTS, STAKEHOLDERS, AND STAFF	<p>1. Ensure fidelity to the base program Eureka Math to fully implement the high-quality curriculum</p> <p>2. Use culturally responsive strategies to scaffold student learning and differentiate instruction for SED and Hispanic students.</p> <p>3. Use data to inform instruction-increase teacher/staff /administration capacity to access, disaggregate, analyze, and utilize to inform instruction</p>	<p>1. Administer and report local assessments including NWEA MAP aligned to the assessment schedule</p> <p>2. Adjust master schedules to allow for additional time for intervention, teacher collaboration, and focus on base program</p> <p>3. Host weekly Professional Learning Communities (PLC) to review identified assessment data, to disaggregate the data, to determine strategies that will be utilized to address the needs of SED and Hispanic students</p>	<p>1. Ensure a trainer/consultant provides professional development to teachers and administrators on Eureka Math</p> <p>2. Ensure a trainer/consultant provides coaching on culturally responsive pedagogy, UDL, scaffolding, and differentiation for teachers, staff and administrators</p> <p>3. Ensure trainer/consultant provides ongoing training/coaching to support administration on data analysis, supporting teachers and staff through implementation of Eureka Math, using culturally responsive strategies to scaffold student learning and differentiate instruction for SED and Hispanic students</p> <p>a. Admin training and support in additional coaching with calibration walks, data, and curriculum</p> <p>4. Develop of clear and concise assessment system:</p> <p>a. establish routine/systems/protocols</p> <p>b. create a data teams- grade level and vertical and administrative data teams</p> <p>c. train educational staff and administration to access data and develop data literacy focusing on IXL, NWEA MAP, SBAC, BPST and other local assessments</p> <p>d. train educational staff (including - instructional coach, paraprofessionals) and administrators on data literacy</p> <p>e. train support staff with PowerSchool SIS to accurately input demographic data</p>	<p>1. Monitor fidelity of curriculum implementation as evidenced by lesson plans, pacing guides, master schedule, and walk-throughs</p> <p>a. Provide timely feedback and support to teaching staff</p> <p>2. Prepare and present data to stakeholders</p> <p>a. quarterly to Kepler Board and PAC</p> <p>b. bi-monthly to the County Accountability Team</p> <p>3. A member of the admin team will be in attendance at Professional Development opportunities provided to staff and teachers to ensure shared understanding and implementation of strategies</p> <p>4. Administration Team will meet weekly to discuss:</p> <p>a. school operations</p> <p>b. data and school performance toward Action Plan addendum items</p> <p>c. walk-through results,</p> <p>d. plan staff meeting agendas to do for the week,</p> <p>e. benefiting communication issues and follow through, system implementation and accountability ideas</p> <p>f. structure agendas for admin meetings framed by the 4 PLC questions</p> <p>5. Administration will meet quarterly to:</p> <p>a. review PD schedules-when, how, how often, content</p> <p>b. audit and report demographic data (maybe more frequently at the start of the school year)</p> <p>c. check data cycles, assessment calendars and see if changes or adjustments need to be made</p> <p>6. Administration will meet annually at the beginning and closing of the school year to discuss:</p> <p>a. review and modify protocols/tools/checklists</p> <p>b. develop detailed planning of the school year leaving room to change when necessary</p> <p>c. determine data review cycles,</p> <p>d. create calendars (i.e. assessment calendars, master calendars, etc.) and master schedule, classroom schedules</p> <p>e. determine curricular needs for next school year</p> <p>7. Kepler administration will immediately:</p> <p>a. create protocols/tools/checklists to ensure staff understand what is expected of them</p> <p>b. create ways to communicate with staff (principal newsletter, staff meetings, when that communication will happen, how, how often, who)</p> <p>c. determine our evaluation cycles- who, when how often, and the format for evaluating educational staff</p> <p>d. review and update the Kepler schedule (assessment calendar including data checkpoints and accountability check-in, master calendar)</p> <p>8. Administration will meet with FCSS coaches, as per contracted days for:</p> <p>a. consultant check-ins</p> <p>b. classroom walk-through and feedback coaching</p> <p>c. FCSS network meetings</p> <p>d. continued develop and refine of the PLC model</p>
Date Implem.	Spring 2021 >>> Spring 2022	Fall 2021 Every 8 weeks	Spring 2021 >>> Spring 2022	Spring 2021 >>> Spring 2022
Personnel	Kepler Leadership Team- Executive Director -3, Director of Student Services, Principal -1&2 Instructional Coach Educational staff, including paraprofessionals	Kepler Leadership Team- Executive Director, Director of Student Services 1&2, Principal Instructional Coach - 3 Educational staff IT Department	Kepler Leadership Team- Executive Director 1, Director of Student Services, Principal- 2-4,a-e Instructional Coach Educational staff, including paraprofessionals	Kepler Leadership Team- Executive Director, Director of Student Services, Principal 1-8
Evidence	Stakeholder survey feedback Research the science behind the curriculum and its impact on significant populations- SED and Hispanic. Intervention rosters Pre-/ post- test results NWEA scores Revised Master Schedule	Copies of Mid-Quarter Results (8 times per year) to Parent/Guardian(s) Sample Progress Form Progress Monitoring Pre- and Post-Assessments	Meeting agendas, attendance, materials and summary pages, post-training survey Lesson plans Classroom walk-through forms	Action Plan Rating for Implementation, Fidelity and Completion Admin meeting agendas and minutes Board Agendas and Minutes Stakeholder Surveys Calendars
Impact on learning/results (summary of impact of learning/training)				



Justification of Goals and Actions

The Kepler Team needed to identify our deficits, specifically with our socioeconomically disadvantaged (SED) students and Hispanic students. The outcome of the activities mentioned in the Description of Action Planning allowed the Kepler Team the ability to articulate the goals and execute the actions to address and improve student achievement for SED students and Hispanic students.

The implemented action plan will increase student achievement at Kepler, especially for SED students and Hispanic students. The Kepler Team has garnered information about the action plan addendum from teachers, staff, and administrators during Professional Learning Communities during the first two weeks of February 2021 and with the Kepler Board on February 17, 2021. Parents and guardians received the information via Remind, the website, and in the school office. The purpose was for all stakeholders to take ownership of the action plan addendum and its implementation. All stakeholders have been encouraged to provide the Kepler Team with continuous feedback throughout the process and implementation.

Kepler NS Charter Petition Addendum and Action Plan Feb 17 2021

Final Audit Report

2021-02-17

Created:	2021-02-17
By:	Rachel Kuhtz (r.kuhtz@keplerschool.org)
Status:	Signed
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-  Document created by Rachel Kuhtz (r.kuhtz@keplerschool.org)
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