

## **MEMORANDUM**

**TO:** Dr. Elizabeth Blanco, Superintendent

**FROM:** David Rennie, Coordinator: Continuous Improvement

**DATE:** November 28, 2023

**RE:** **STAFF ANALYSIS AND PROPOSED FINDINGS OF FACT REGARDING REQUEST FOR RENEWAL OF CHARTER PETITION FOR AVESON SCHOOL OF LEADERS, 2023**

### **PROCEDURAL STATUS**

The PASADENA UNIFIED SCHOOL DISTRICT (“District”) received a renewal charter petition (“Charter”) from AVESON SCHOOL OF LEADERS on August 28, 2023. AVESON SCHOOL OF LEADERS is operated by AVESON CHARTER SCHOOLS, a California nonprofit public benefit corporation, and the school and the corporation are referred to collectively and interchangeably herein as AVESON SCHOOL OF LEADERS.

Pursuant to the Charter Schools Act of 1992 (“CSA”), the District Governing Board is to hold a public hearing on the provisions of the Charter within 60 days of receipt, which that hearing was held on October 27, 2023. The District Board is to approve or deny the renewal request within 90 days of receipt of the Charter, which time can be extended for an additional 30 days upon mutual agreement of the parties. AVESON SCHOOL OF LEADERS and the District have agreed to an extension through and including December 14, 2023.

AVESON SCHOOL OF LEADERS is seeking approval to renew its charter serving students in grades K-5. AVESON SCHOOL OF LEADERS was initially approved in November 2006 for a five-year term and opened in September 2007. AVESON SCHOOL OF LEADERS’s charter has been subsequently renewed and is now in its sixteenth year of operation. Now, AVESON SCHOOL OF LEADERS is requesting a renewal for a term of five years from July 1, 2025, through June 30, 2030. AVESON SCHOOL OF LEADERS currently serves approximately 350 students.

### **CRITERIA FOR RENEWAL OF A CHARTER PETITION**

A petition submitted for renewal pursuant to Education Code Sections 47607 and 47607.2 shall be considered by the chartering authority’s governing board in accordance with the following standards:

**(1) Standards and Criteria in Education Code Section 47605**

A renewal charter shall be governed by the standards and criteria described in Education Code Section 47605. Education Code Section 47605(c) establishes that

governing boards are to be aware of “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 [District Board] shall grant a [renewal] 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 proposed to locate,” though, as described below, the renewal process does include additional considerations and standards.

Education Code Section 47605 specifies that the District Board may deny a renewal petition if it makes written factual findings 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 an affirmation of each of the conditions required by statute.
4. The petition does not contain a reasonably comprehensive description of all of the required elements.
5. The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of the Educational Employment Relations Act (EERA).

**(2) Determination of High, Middle, or Low Performing School Status**

Education Code Sections 47607 and 47607.2 require a determination of whether a charter school seeking renewal is in the High, Middle, or Low Performance category based on academic performance results:

- a. *High Performing – Renewal term 5-7 years based on authorizer’s discretion*
  - (A) *Had all students in the two highest performance bands for all indicators on the California Dashboard for the preceding two years prior to renewal, OR*
  - (B) *Had all students out-perform the State in all academic indicators on the California Dashboard (or a majority of the student groups out-perform the State) for the preceding two years prior to renewal.*
- b. *Middle Performing – Any school that is not deemed high or low performing, will be considered for a 5-year renewal term. In determining renewal, the authorizer is to consider:*

- (A) *Performance on the state and local indicators on the Dashboard, giving greater weight to measurements of academic performance*
- (B) *Clear and convincing evidence based on verified data showing either:*
  - (i) *The school achieved measurable increases in academic achievement, defined by at least one year of growth for each year of school, OR*
  - (ii) *Strong post-secondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers*

c. *Low Performing – Presumptive non-renewal, except when authorizer renews for two years based on “second review opportunity”*

- (A) *Had all students in the two lowest performance bands for all indicators on the California Dashboard for the preceding two years prior to renewal, OR*
- (B) *Had all students not out-perform the State in all academic indicators on the California Dashboard (or a majority of the student groups not out-perform the State) for the preceding two years prior to renewal.*

*The authorizer is permitted to make an exception and renew a low-performing charter school for a 2-year term if it makes both of the following written factual 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 charter school’s governing body, AND*
- (B) *There is clear and convincing evidence that the charter school has either achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school, or the charter school has demonstrated strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.*

*These written factual findings must be specific to the charter school’s particular petition, setting forth specific facts to support the findings. (Ed. Code § 47607.2(a)(3).) The findings must also be demonstrated by verified data. (Ed. Code § 47607.2(a)(3).) The meaning and application of “verified data” to be used in considering and making these findings are discussed in more detail in Section 2, below.*

### **State Level Data Availability**

Due to the COVID-19 pandemic, all statewide testing for the 2019-20 school year was cancelled and the 2020 California Dashboard based on that data was also cancelled. Subsequently, Assembly Bill 1505 (Chapter 486, Statutes of 2019) changed the process for charter school appeals and renewals. Since the initial implementation of AB 1505 in 2020, provisions related to the determination of performance categories for charter schools have been on hold. Specifically, the U.S. Department of Education and California State Legislature waived the requirements to report state indicators on the California School Dashboard (Dashboard) in 2020 and 2021 that would have been used in the charter school renewal process. Pursuant to AB 1505 in Education Code Sections 47607 and 47607.2, the California Department of Education (“CDE”) created a list of all charter schools and ranked their academic performance indicators from the California Dashboard, specifying whether each school is in the high, middle, or low performance levels, or is a Dashboard Alternative School Status program. This list was intended to relieve the burden on authorizers in determining the performance category of a specific charter school, and provide a starting place for the renewal process. The data used to create CDE’s list is from the 2018 and 2019 California Dashboard, as provided for in Education Code Sections 47607 and 47607.2.

#### **(3) A Renewal Charter Petition**

The renewal petition shall include a reasonably comprehensive description of any new requirements of charter schools enacted into law after the charter was originally granted or last renewed. (Ed. Code § 47607(b)) The charter should also be updated as necessary to reflect the current program offered by the charter school.

#### **(4) Additional Criteria for Denying a Charter Renewal**

A chartering authority may deny renewal of a charter school (EC Section 47607(f)), in any of the three performance categories if it finds that the school is unlikely to successfully implement the program due to:

- a. *Substantial fiscal factors*
- b. *Substantial governance factors, or*
- c. *The charter school is **not serving all pupils** who wish to attend*

### **Performance Criteria for Renewal of AVESON SCHOOL OF LEADERS**

In 2017, the State of California instituted the California Dashboard to help parents and educators identify strengths and areas for improvement in student academic performance. The Dashboard reports how districts, schools (including charter schools), and student groups are performing across state and local measures. For state measures, performance is based on two factors: (1) current year results (Status) and (2) whether results improved from the prior year as compared to themselves (Change). Performance on state measures, using comparable statewide data, is represented by one

of five colors – starting with red as the lowest, through orange, yellow, green, and blue as the highest. A performance level (Color) is not provided on the Dashboard when a student group has fewer than 30 students, but the Status and Change data will be displayed. When a student group has less than 11 students, the group does not receive a performance level (Color), and the group’s Status and Change are not displayed, in order to protect the anonymity of the students. In such a case, this information is represented by using a grey gauge with the words “No Performance Color.” Because the Dashboard performance level (Color) relates to how the particular entity performed compared to past performance, the colors cannot necessarily be compared across schools or entities. For example, a district with a lower performance score could have a “better” color than a district with a higher score, because the former district had greater improvement from the preceding year than did the latter district.

As specified in CDE’s Performance Category Data File, and confirmed in the AVESON SCHOOL OF LEADERS Charter, AVESON SCHOOL OF LEADERS fits into the middle performance category. Therefore, any renewal of AVESON SCHOOL OF LEADERS’s Charter would be for a five-year renewal term pursuant to Education Code section 47607.2(b). If the District renews the Charter, the new Charter term would begin on July 1, 2025, and run through and including June 30, 2030. CDE’s latest Performance Category Data File, released July 1, 2020, is found here: <https://www.cde.ca.gov/sp/ch/documents/ab1505results2020.xlsx>. The data file with the list of charter schools and their respective performance categories will be updated annually and can also be accessed on the CDE Charter School Performance Category Data File web page at <https://www.cde.ca.gov/sp/ch/cspperformcategory.asp>.

In its Charter, AVESON SCHOOL OF LEADERS states that it is eligible for and meets the criteria for charter renewal for a term of five years. To demonstrate its academic performance against the criteria for five-year renewal, AVESON SCHOOL OF LEADERS submitted its data from the California Assessment of Student Performance and Progress (“CAASPP”) for the 2022 administration, as well as comparison data for State and local district. AVESON SCHOOL OF LEADERS states the data submitted on pages 26-31 of the renewal Charter establish that AVESON SCHOOL OF LEADERS meets the criteria for a five-year renewal. This report does not reproduce all of the information provided by AVESON SCHOOL OF LEADERS; rather, it incorporates the CAASPP results and related data shared in the petition into the analysis findings described in later portions of this report.

The data below represent some of the most significant data provided by AVESON SCHOOL OF LEADERS and/or available for consideration of AVESON SCHOOL OF LEADERS’s academic performance.

***School Academics - CAASPP***

**Table 1: CAASPP Proficiency rate by student group (ELA)**

Time Period/Student Group	Aveson School of Leaders	State of California
<b>2022-2023</b>		
All Students	62%	47%
Students with Disabilities	23%	16%
Socioeconomically Disadvantaged	51%	35%
Hispanic	62%	36%
White	63%	61%
<b>2021-2022</b>		
All Students	64%	47%
Students with Disabilities	26%	16%
Socioeconomically Disadvantaged	50%	35%
Hispanic or Latino	58%	36%
White	68%	61%

**Table 2: CAASPP Proficiency rate by student group (Math)**

Time Period/Student Group	Aveson School of Leaders	State of California
<b>2022-2023</b>		
All Students	62%	35%
Students with Disabilities	23%	12%
Socioeconomically Disadvantaged	51%	23%
Hispanic	40%	23%
White	66%	49%
<b>2021-2022</b>		
All Students	53%	33%
Students with Disabilities	13%	16%
Socioeconomically Disadvantaged	35%	21%
Hispanic or Latino	43%	21%
White	56%	48%

**California School Dashboard**

**Table 3: California School Dashboard Indicator Summary (Engagement, Conditions, and Climate)**

Student Group	Aveson School of Leaders		State of California	
	Chronic Absenteeism	Suspension Rate	Chronic Absenteeism	Suspension Rate
<b>2021-2022 (status)</b>				
All Students	16% (high)	0.8% (low)	30% (very high)	3.1% (medium)
Students with Disabilities	28.6% (very high)	0% (very low)	39.6% (very high)	5.4% (high)
Socioeconomically Disadvantaged	28.4% (very high)	0% (very low)	37.4% (very high)	4% (medium)
Hispanic	17.8% (high)	0% (very low)	35.8% (very high)	3.3% (medium)
White	13.6% (high)	1.6% (medium)	21.9% (very high)	2.6% (medium)
Two or More Races	26.8% (very high)	0% (very low)	25.1% (very high)	2.9% (medium)
<b>2018-2019 (performance level)</b>				
All Students	9.1% (orange)	1.4% (orange)	10.1% (orange)	3.4% (yellow)
Students with Disabilities	8.6% (orange)	0% (blue)	16.3% (orange)	6.2% (yellow)
Socioeconomically Disadvantaged	23.3% (red)	4.3% (orange)	12.9% (orange)	4.3% (yellow)
Hispanic or Latino	20.4% (red)	2.9% (orange)	11% (orange)	3.5% (yellow)
White	5.1% (orange)	0.8% (yellow)	8.1% (yellow)	2.9% (yellow)
Two or More Races	5.6% (no color)	0% (no color)	9.8% (orange)	3.3% (yellow)



***Student Academic Growth – Distance from Standard***

**Table 4: California School Dashboard Indicator Summary (Academic Performance)**

Student Group	Aveson School of Leaders		State of California	
	ELA Average Distance From Met	Math Average Distance From Met	ELA Average Distance From Met	Math Average Distance From Met
<b>2021-2022 (status)</b>				
All Students	28.1 (high)	-7 (medium)	-12.2 (low)	-51.7 (low)
Students with Disabilities	-74.1 (no level)	-80.3 (no level)	-97.3 (very low)	-130.8 (very low)
Socioeconomically Disadvantaged	-8.1 (no level)	-47.4 (no level)	41.4 (high)	-84.0 (low)
Hispanic	1.2 (medium)	-25.1 (low)	-38.6 (low)	-83.4 (low)
White	33.1 (high)	-2 (medium)	21.9 (high)	-13.4 (medium)
Two or More Races	--	--	25.1 (high)	-9.9 (medium)
<b>2018-2019 (performance level)</b>				
All Students	15.5 (green)	-26.4 (orange)	-2.5 (green)	-33.5 (orange)
Students with Disabilities	-74.9 (no level)	-113 (no level)	-88.1 (orange)	-119.4 (orange)
Socioeconomically Disadvantaged	-28 (orange)	-47.8 (orange)	-30.1 (yellow)	-63.7 (yellow)
Hispanic or Latino	-11.7 (orange)	-58 (orange)	-26.6 (yellow)	-62.2 (yellow)
White	33.5 (green)	-16.7 (yellow)	30.7 (green)	1.4 (green)
Two or More Races	**	**	30.3 (green)	2.5 (green)

-- Student group was not present within data results

\*\* Results shielded due to low group size to protect student privacy

### ***Academic Achievement – Analysis & Conclusion***

This report utilizes the most recently available 2022 and 2019 California School Accountability Dashboards because Covid-19 school closures and subsequent California legislative action suspended the reporting for the 2020 and 2021 reporting year. Non-academic Dashboard indicators provide evidence that AVESON SCHOOL OF LEADERS’s overall student outcomes are higher than those posted by the State of California’s overall student performance within the same year. The same can be said for overall academic indicators.

While each student group at AVESON SCHOOL OF LEADERS experienced both academic and non-academic outcomes that were better than the State of California’s results for the same student group within the 2022 Dashboard, the 2019 Dashboard does not reflect the same situation. Specifically, chronic absenteeism for Hispanic/Latino and Socioeconomically Disadvantaged students were higher than the State of California rates for the same time period.

The overall conclusion of these two dashboard academic indicators is that AVESON SCHOOL OF LEADERS student performance outcomes result in average student scale scores that yield more desirable average “distance from standard” results than student outcome results for the State of California within the same student group.

### ***Finances***

Over the most recent period of the AVESON SCHOOL OF LEADERS charter, no significant financial findings have been found.

## **REVIEW OF THE CHARTER PETITION**

Staff reviewed the renewal Charter using the criteria established in California Education Code Sections 47605, 47607, and 47607.2 and found:

### **1. Sound Education Program**

The AVESON SCHOOL OF LEADERS petition defines the educational philosophy for how learning should occur for an ideal student including the development of interpersonal skills and the development of 21st century skills.

### **Special Education:**

The petition describes the proportion of students with disabilities and describes supports for students to participate in the educational program through an “inclusion” model. The petition also describes the processes for assessing students for identification of need for an Individualized Education Plan (IEP), the development of an IEP, and a description of both parent/guardian rights and due process procedures.

**English Learners (EL):**

The petition describes how students will be identified for assessment using a Home Language Survey and how their initial academic English language proficiency will be measured. The petition also describes the reclassification procedures and instructional/intervention supports. Supports for students identified as English learners include supplemental material, accessible input instructional design strategies, teacher professional development, and both integrated/dedicated English Language Development (ELD) resources.

**Other Student Subgroups:**

The petition does identify that the student demographic composition of AVESON SCHOOL OF LEADERS does not reflect the overall composition of the surrounding school district. The petition outlines recruitment and diversification efforts to increase the enrollment of African American students, Latinx students, and English learner students.

**2. Ability to successfully implement the program set forth in the Petition**

The program outlined by the AVESON SCHOOL OF LEADERS charter petition outlines instructional programming that is consistent with current age-appropriate pedagogical practices and methods. The sample grade-level schedules, instructional minutes calendar, and description of instructional blocks provide sufficient information to suggest that the petition’s program can be successfully implemented.

**3. Affirmation & Declaration of each of the conditions required by statute**

The charter petition contains required affirmations and declarations pursuant to California Education Code 47605(e).

**4. Reasonably comprehensive description of the required elements**

Review of the Petition provides a sufficiently comprehensive description of the following required elements for approval.

- A. **Element One: Description of the Educational Program/Plan for Student Academic Achievement**
- B. **Element Two: Measurable Student Outcomes**
- C. **Element Three: Method by Which Pupil Progress in Meeting Outcomes will be Measured**
- D. **Element Four: Governance**
- E. **Element Five: Employee Qualifications**

- F. **Element Six: Health and Safety**
  - G. **Element Seven: Racial, Ethnic, English Learner, and Special Education Balance**
  - H. **Element Eight: Admissions Policies and Procedures**
  - I. **Element Nine: Financial Audit**
  - J. **Element Ten: Student Suspension/Expulsion Procedures**
  - K. **Element Eleven: Employee Retirement System**
  - L. **Element Twelve: Public School Attendance Alternatives**
  - M. **Element Thirteen: Description of the Rights of An Employee of the District, Upon Leaving the Employment of the District, to be Employed by the Charter School**
  - N. **Element Fourteen: Dispute Resolution**
  - O. **Element Fifteen: Closure Protocol**
- 5. **Exclusive Public Employer**
  - 6. **Required Additional Information**

**CONCLUSION**

Staff reviewed the AVESON SCHOOL OF LEADERS renewal Charter utilizing the criteria for charter renewal set forth in Education Code Sections 47605, 47607 and 47607.2.

It is the recommendation of the Staff that AVESON SCHOOL OF LEADERS renewal petition be approved and that the District Board take subsequent within the 2023-2024 Governance calendar to achieve this end.