

**STAFF REPORT AND PROPOSED FINDINGS OF FACT
REGARDING MATERIAL AMENDMENT,
RICHMOND COLLEGE PREP K-8 CHARTER**

I. Introduction

A. Background

On or about September 19, 2016, the West Contra Costa Unified School District (“District”) received a charter petition (Petition”) from Ms. Peppina Liano on behalf of Richmond College Prep School, a California non-profit public benefit corporation (“Petitioner”), proposing the Material Revision of RCP to include seventh and eighth grades.

Petitioner anticipates that the Material Revision would commence operations in the 2017-2018 school year, with a Year 1 enrollment of 60 students in grade 7, adding to the school’s current enrollment of 434. At full enrollment in Year 2, the Charter School would serve a total of 570 students in grades T-K through eighth grade (Petition, p.13). Petitioner currently operates RCP, which serves PreK-6th grade students.

B. Timeline for Board Action

Petitioner submitted the Material Revision on September 19, 2016. On September 21, 2016, the District and Petitioner mutually agreed in writing to an extension of time for a public decision hearing regarding the Charter School’s Petition until November 16, 2016 (*See* California Code of Regulations, Title 5, Section 11966.4, subdivision (c)(1)). The District’s Board held a public hearing on the Petition on November 2, 2016. The Board intends to take action regarding the approval or denial of the Petition, and if denied, issue written factual findings on November 16, 2016.

C. Material Revisions to Charter Petitions

Material revisions to charter petitions are governed by the same standards and criteria set out for charter petitions in Education Code section 47605. (Ed. Code, § 47607, subd. (a)(2).) It is appropriate to use academic performance as an important factor in determining whether this amendment should be approved. Therefore, the central issue and focused analysis by staff was on whether the charter school could successfully implement a sound 7th and 8th grade program. A material revision of the provisions of the Petition may be made only with the approval of the authority that granted the charter. (Ed. Code, § 47607, subd. (a)(1).) The governing board may not deny a material revision to the Petition unless it sets forth specific facts to support one, or more, of the following five pertinent findings in section 47605, subdivision (b):

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school;
2. The petitioner is 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 set forth in Education Code section 47605, subdivision (d), including that the charter school: (1) will be nonsectarian in its admission policies, employment practices and all other operations; (2) will not charge tuition; and (3) will not discriminate against any student on the basis of the characteristics set forth in Education Code section 220;
4. The petition does not contain reasonably comprehensive descriptions of 15 certain elements in its program and operations as set forth in Education Code section 47605, subdivisions (b)(5) (A-O), which describes the elements that must be addressed in every petition to establish a charter school. These elements include a description of the school’s governance structure, admissions policy, health and safety and student discipline policies; or
5. The petition does not contain a declaration of whether the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 of Division 4 of Title 1 of the Government Code.

II. Summary and Recommendation

This Staff Report and Findings of Fact set forth factual findings based upon a review by District staff of the Petition, its appendices, and Petitioner’s projected educational and operational plans, the results of a Capacity Interview, and the organization’s financial performance during the term of the Charter. This review process identified minor deficiencies in the Petition, and have identified these in the following report, yet staff and legal counsel do not feel they are sufficient to deny the material revision.

Staff conducted an evaluation of CAASPP scores, shown next. These are compared with West Contra Unified School District averaged scores.

SUBJECT.CAASPP	RCP	WCCUSD
ENGLISH LANGUAGE ARTS	43%	35%
MATH	41%	24%

Staff reviewed the California Charter Schools Association review of Similar Schools and Statewide rankings, and found that RCP scored a 10 of 10 for the Similar Students/ Schools measure.

Finally, while percentages of English Language Learners, Initially Fluent English Proficient, and Recently Reclassified Fluent English Proficient percentages are higher in the District, indicating

higher needs for English language acquisition support, the data supporting academic achievement at RCP remain compelling.

Following next are combined staff observations and analyses of the petition.

Fiscal

RCP leadership or its back office support provider must develop or update written procedures for billing of the Facilities Use payment. Upon receipt of a facility use billing from WCCUSD, check the agreement with WCCUSD, reconcile billing status and General Ledger, and if correct, send out the check to WCCUSD and record in the book with detail description.

Improve observance of deadlines for submission of Unaudited Actuals, and development of the written procedures for all financial reports (1st interim, 2nd interim, estimated actuals, unaudited actuals, and audited report). Required detail includes: preliminary dates for all closing General Ledger entries such as Revenue, Accounts Receivable, Accounts Payable, and Cash balance, plus preliminary date for trial balance. Check Local, State, and Federal grant deadlines, finalized Average Daily Attendance and Local Control Funding Formula recalculations. Plan for, and observe final date for all required submissions and submission dates for WCCUSD.

English Language Learner Program

The WCCUSD team commended the strong plan for how the school will meet the needs of English language learners through support of proficiency in language, while providing instruction in all academic subjects.

The team would like to see a specific plan based on formative assessments for the English Language Learner (ELL) population, and a policy statement in the handbook or elsewhere that students will not be retained based on English language proficiency. The school should have English Language Development (ELD) benchmark assessments based on ELD standards. These may be in place within the organization, but evidence was not clear in the petition. The petition referenced publisher's assessments, but was not clear that assessments listed were specifically targeted to the ELD element of the program.

The petitioners did not specify that reclassification must be differentiated for different grade levels in acknowledgement of differing processes between elementary and middle school levels. While the petition suggested close monitoring of data and student learning outcomes, it was silent on whether recently reclassified students are closely monitored. A statement to that effect should be included.

Curriculum and Instruction

The petition included a strong alignment of mission, vision, and goals consistent with enabling students to become self-motivated, competent, lifelong learners. Clear descriptions of how learning best occurs, including a framework for instructional design aligned with the identified student population. The Instructional program is research-aligned and rigorous with plans and strategies to support students who are not achieving.

The instructional philosophy is grounded in research-based approaches to learning, and the use of the constructivist approach provides students with the opportunity to achieve with high engagement leading to positive student outcomes. The outlined approach is aligned with college and career standards. The petition lists skills of critical thinking, problem solving and opportunities to practice listening and speaking skills, as well as frequent use of technology supporting success in the 21st century.

Measurable Student Outcomes

Data showed that the RCP students are performing well. The petition describes multiple measures including Illuminate and publisher's assessments, and during the Capacity interview the academic leadership team expressed commitment to the use of formative assessments, such as the tech-platform Kahoot to measure student learning. The petition described a comprehensive plan for intervening when students need support, and the SST process includes a team that assesses the academic and socio-emotional supports for identified students. The process includes connections to appropriate interventions and resources. The petition included a comprehensive list of assessments used to monitor student learning.

Governance

The petition, Capacity interview with two board members, and board meeting minutes' review suggest a seriousness of purpose focused on the academic and socioemotional support of RCP students. Each meeting included information on strategies to include parents, and a focus on student learning. Regular reports include updates concerning programs, and attendance. Several recommendations for improvement are included next. RCP should increase the number of board meetings to fall at least every two months, expand board membership to include individuals with educational expertise, and carefully consider succession planning.

In summation, the preponderance of evidence within the petition suggest that the material revision merit approval, and accordingly, Staff recommends that the Board approve the Richmond College Preparatory material revision.