

# **FINDINGS OF FACT SUPPORTING DENIAL OF CHARTER RENEWAL PETITION FOR MANZANITA MIDDLE SCHOOL**

## **I. Introduction**

### **A. Procedural Background**

On February 28, 2020, the Board of Education of the West Contra Cost Unified School District (“Board”) received a renewal petition (“Renewal Petition”) seeking to renew the charter of Manzanita Middle School (“Manzanita” or “Charter School”) for a five-year period from July 1, 2020 through June 30, 2025. Pursuant to Education Code section 47605, subdivision (b), the Board held a public hearing on April 1, 2020, to consider the level of support for the renewal of the Manzanita charter. On April 22, 2020, following review of the Renewal Petition and consideration of a Charter Renewal Review and Staff Recommendation (“Staff Report”), the Board voted to deny renewal of the Manzanita charter, based on the following grounds, as set forth in Education Code section 47605, subdivision (b):

*Petitioner is demonstrably unlikely to successfully implement the program set forth in the Renewal Petition. (Ed. Code, § 47605(b)(2).)*

In order to deny the Renewal Petition on the grounds set forth above, Education Code section 47605, subdivision (b), requires the Board to make “written factual findings, specific to the particular petition, setting forth specific facts to support one or more” of the grounds for denying the renewal charter. **Accordingly, in denying the Manzanita Renewal Petition, the Board hereby adopts these Findings of Fact as its own findings.**

### **B. Summary of Findings of Fact Supporting Denial of Manzanita Renewal Petition**

As discussed below in these Findings of Fact, the Board’s denial of the Manzanita Renewal Petition centers on the Charter School’s academic performance. The Education Code provides that, when considering a petition for renewal, the authority that granted the charter “shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.” (Ed. Code, § 47607(a)(3)(A).) In addition, as a prerequisite to the renewal process, a charter school must satisfy at least one of the academic performance criteria set forth in Education Code 47607, subdivision (b) or 52052, subdivision (f).

Based on evaluation of data provided in the Renewal Petition and the Staff Report, as well as review of the Charter School’s performance on the California Assessment of Student Performance and Progress (“CAASPP”), the Board has concluded that the Charter School has not met at least one of the minimum academic performance criteria set forth in Education Code sections 47607(b)(4) and 52052(f), which by itself, is sufficient basis for denial of the Renewal Petition. In addition, review of increases in pupil academic achievement for all groups of pupils served by the Charter School, when weighed against all other factors, merits denial of

Manzanita’s charter renewal. Finally, the Charter School is demonstrably unlikely to successfully implement the program set forth in the Renewal Petition. (Ed. Code, § 47605(b)(2).)

## **II. Manzanita Academic Performance**

### **A. Satisfaction of Academic Performance Criteria as Prerequisite for Renewal**

As a prerequisite to the renewal process, charter schools that have operated for at least four years must provide documentation with its renewal petition showing that the charter school has satisfied at least one of the following academic performance criteria (Ed. Code, § 47607(b); 5 CCR, § 11966.5(b)(1).):

1. That the charter school has attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all groups of pupils served by the charter school; or
2. That the charter school ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years; or
3. That the charter school ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years;
4. The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school. This determination shall be based upon all of the following: a) documented and clear and convincing data; b) pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools; and c) information submitted by the charter school.

In 2018, Education Code section 52052 was revised to add the following alternative performance criteria for use in lieu of paragraphs (1) to (3), inclusive, of subdivision (b) of Section 47607: “alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among numerically significant pupil subgroups.” (Ed. Code, § 52052(f).) Thus, a charter school requesting renewal of its charter must, as a prerequisite, provide evidence that it has met the requirements of Education Code sections 47607(b)(4) or 52052(f). In other words, if a charter school does not provide documentation in its renewal petition demonstrating that it meets at least one of the academic performance criteria, the chartering authority’s governing board may not grant the renewal.

Results of a review of the Charter School’s academic performance with regard to Education Code sections 47607(b)(4) and 52052(f) are summarized below.

1. Education Code Section 47607(b)(4)

Education Code section 47607(b)(4) provides that a charter may be renewed if the charter school demonstrates “that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.” (Ed. Code, § 47607(b)(4).)

In this case, many Manzanita students reside in areas in proximity to Helms and DeJean middle schools; however, it is important to note that West Contra Costa Unified School District is an “open enrollment” district. This means that students are not required to attend schools within their particular attendance area. Instead, students may request enrollment in any District school, subject to capacity limits. Thus, it is most appropriate to view Manzanita’s academic performance, as compared to that of all of the District’s middle schools. Further, that is what the statute calls for.

As shown on Page 4 of the Staff Report, Manzanita’s academic performance on the English Language Arts (“ELA”) and Math portions of the 2018-2019 CAASPP, exceeds that of Helms and DeJean middle schools. However, when compared to all of the District’s middle schools, Manzanita’s academic performance does not satisfy the second prong of section 47607(b), as its academic performance in both ELA and Math lags behind the academic performance of the Districts’ other middle schools—Pinole, Crespi, Hercules, and Korematsu.

Based on this comparison data, the Board has determined that the Charter School has not provided evidence that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school. (Ed. Code, § 47607(b)(4).)

2. Education Code section 52052(f)

The statutory criteria required for renewal as set forth in Education Code Section 52052(f), requires the Charter School to provide evidence of “increases in pupil academic achievement for all groups of pupils schoolwide and among significant student groups.” The Charter School fails to meet this academic performance benchmark.

As shown below, the Charter School’s schoolwide academic achievement on the ELA portion of the CAASPP has declined from 2016-2017 through 2018-2019. In 2016-2017, 48.48% of Manzanita students met or exceeded the ELA standards. In 2017-2018, that percentage declined to 30.71%. In 2018-2019, the percentage declined ever further, with only 26.31% of Manzanita students meeting or exceeding the ELA standards.

Likewise, schoolwide results on the Math portion of the CAASPP have decreased over the same three year period. In 2016-2017, 26.26% of Manzanita students met or exceeded the CAASPP Math standards. That percentage declined to 14.96% in 2017-2018. Manzanita reported only a

slight increase (15.79%) in the percentage of students meeting or exceeding the CAASPP Math standards in 2018-2019.

Among numerically significant pupil subgroups, there were some limited increases in students “nearly meeting” the ELA or Math standards; however, overall, the percentages of students meeting or exceeding the CAASPP standards from 2016-2017 to 2018-2019 declined.

Percentages of Economically Disadvantaged students meeting or exceeding the CAASPP ELA standard saw a significant decline over that three year period from 43.59% to 21.17%. The percentage of Economically Disadvantaged students meeting or exceeding the Math standard in that period also declined significantly, from 24.36% to 14.12%.

The percentage of Latino/Hispanic students meeting or exceeding the CAASPP ELA standard fell from 48.19% in 2016-2017 to 26.47% in 2018-2019, while the percentage of Latino/Hispanic students meeting or exceeding the CAASPP Math standard declined from 24.09% to 16.66% over the same period.

The performance of English Learners from 2016-2017 to 2018-2019 was stagnant in ELA and Math, with the percentage of students meeting/exceeding the CAASPP standard increasing from 0% to 4.88% in ELA and remaining at 0% in Math.

<b>Manzanita Middle School- CAASPP ELA Results 2016/17 to 2018/19</b>			
	<b>2016/2017</b>	<b>2017/2018</b>	<b>2018/2019</b>
<b>Students Overall</b>	Level 1 (not met): 14.14% Level 2 (nearly met): 37.37% Level 3 (Met): 41.41% Level 4 (Exceeded): 7.07% <b>48.48% met or exceeded</b>	Level 1 (not met): 40.16% Level 2 (nearly met): 29.13% Level 3 (Met): 29.92% Level 4 (Exceeded): .79% <b>30.71% met or exceeded</b>	Level 1 (not met): 37.72% Level 2 (nearly met): 35.96% Level 3 (Met): 21.05% Level 4 (Exceeded): 5.26% <b>26.31% met or exceeded</b>
<b>Economically Disadvantaged Students</b>	Level 1 (not met): 15.38% Level 2 (nearly met): 41.03% Level 3 (Met): 39.74% Level 4 (Exceeded): 3.85% <b>43.59% met or exceeded</b>	Level 1 (not met): 41.67% Level 2 (nearly met): 29.63% Level 3 (Met): 27.78% Level 4 (Exceeded): .93% <b>28.71% met or exceeded</b>	Level 1 (not met): 40% Level 2 (nearly met): 38.82% Level 3 (Met): 18.82% Level 4 (Exceeded): 2.35% <b>21.17% met or exceeded</b>
<b>Hispanic or Latino Students</b>	Level 1 (not met): 15.66% Level 2 (nearly met): 36.14% Level 3 (Met): 42.17% Level 4 (Exceeded): 6.02% <b>48.19% met or exceeded</b>	Level 1 (not met): 41.12% Level 2 (nearly met): 28.04% Level 3 (Met): 29.91% Level 4 (Exceeded): .93% <b>30.84% met or exceeded</b>	Level 1 (not met): 37.25% Level 2 (nearly met): 36.27% Level 3 (Met): 20.59% Level 4 (Exceeded): 5.88% <b>26.47% met or exceeded</b>

<b>Economically Disadvantaged Hispanic or Latino Students</b>	Level 1 (not met): 16.18% Level 2 (nearly met): 38.24% Level 3 (Met): 41.18% Level 4 (Exceeded): 4.41% <b>45.59% met or exceeded</b>	Level 1 (not met): 41.84% Level 2 (nearly met): 30.61% Level 3 (Met): 26.53% Level 4 (Exceeded): 1.02% <b>27.55% met or exceeded</b>	Level 1 (not met): 38.75% Level 2 (nearly met): 38.75% Level 3 (Met): 20% Level 4 (Exceeded): 2.5% <b>22.5% met or exceeded</b>
<b>English Language Learners</b>	Level 1 (not met): 55% Level 2 (nearly met): 45% Level 3 (Met): 0% Level 4 (Exceeded): 0% <b>0% met or exceeded</b>	Level 1 (not met): 86.49% Level 2 (nearly met): 13.51% Level 3 (Met): 0% Level 4 (Exceeded): 0% <b>0% met or exceeded</b>	Level 1 (not met): 68.29% Level 2 (nearly met): 26.83% Level 3 (Met): 4.88% Level 4 (Exceeded): 0% <b>4.88% met or exceeded</b>

<b>Manzanita Middle School CAASPP Math Results—2016/17 to 2018/19</b>			
	<b>2016/2017</b>	<b>2017/2018</b>	<b>2018/2019</b>
<b>Students Overall</b>	Level 1 (not met): 40.40% Level 2 (nearly met): 33.33% Level 3 (Met): 19.19% Level 4 (Exceeded): 7.07% <b>26.26% met or exceeded</b>	Level 1 (not met): 57.48% Level 2 (nearly met): 27.56% Level 3 (Met): 11.02% Level 4 (Exceeded): 3.94% <b>14.96% met or exceeded</b>	Level 1 (not met): 53.51% Level 2 (nearly met): 30.70% Level 3 (Met): 9.65% Level 4 (Exceeded): 6.14% <b>15.79% met or exceeded</b>
<b>Economically Disadvantaged Students</b>	Level 1 (not met): 44.87% Level 2 (nearly met): 30.77% Level 3 (Met): 19.23% Level 4 (Exceeded): 5.13% <b>24.36% met or exceeded</b>	Level 1 (not met): 59.26% Level 2 (nearly met): 26.85% Level 3 (Met): 10.19% Level 4 (Exceeded): 3.70% <b>13.89% met or exceeded</b>	Level 1 (not met): 61.18% Level 2 (nearly met): 24.71% Level 3 (Met): 10.59% Level 4 (Exceeded): 3.53% <b>14.12% met or exceeded</b>
<b>Hispanic or Latino Students</b>	Level 1 (not met): 43.37% Level 2 (nearly met): 32.53% Level 3 (Met): 18.07% Level 4 (Exceeded): 6.02% <b>24.09% met or exceeded</b>	Level 1 (not met): 58.88% Level 2 (nearly met): 26.17% Level 3 (Met): 12.15% Level 4 (Exceeded): 2.8% <b>14.95% met or exceeded</b>	Level 1 (not met): 51.96% Level 2 (nearly met): 31.37% Level 3 (Met): 9.80% Level 4 (Exceeded): 6.86% <b>16.66% met or exceeded</b>

<b>Economically Disadvantaged Hispanic or Latino Students</b>	Level 1 (not met): 47.06% Level 2 (nearly met): 29.41% Level 3 (Met): 17.65% Level 4 (Exceeded): 5.88% <b>23.53% met or exceeded</b>	Level 1 (not met): 59.18% Level 2 (nearly met): 27.55% Level 3 (Met): 10.20% Level 4 (Exceeded): 3.06% <b>13.26% met or exceeded</b>	Level 1 (not met): 58.75% Level 2 (nearly met): 26.25% Level 3 (Met): 11.25% Level 4 (Exceeded): 3.75% <b>15.00% met or exceeded</b>
<b>English Language Learners</b>	Level 1 (not met): 85% Level 2 (nearly met): 15% Level 3 (Met): 0% Level 4 (Exceeded): 0% <b>0% met or exceeded</b>	Level 1 (not met): 86.49% Level 2 (nearly met): 13.51% Level 3 (Met): 0% Level 4 (Exceeded): 0% <b>0% met or exceeded</b>	Level 1 (not met): 73.17% Level 2 (nearly met): 26.83% Level 3 (Met): 0% Level 4 (Exceeded): 0% <b>0% met or exceeded</b>

Based on review of the above data, the Charter School has not provided evidence of “increases in pupil academic achievement for all groups of pupils schoolwide and among significant student groups.” (Ed. Code, § 52052(f).)

#### B. Increases in Pupil Academic Performance

By itself, failure to meet one of the academic performance criteria is grounds for denial of the Renewal Petition. However, the Board further finds that the Manzanita charter renewal should be denied on the statutory grounds that, based on its academic performance, the Charter School is demonstrably unlikely to successfully implement the program set forth in the Renewal Petition. (Ed. Code, § 47605(b)(2).)

The Education Code provides that, when considering a petition for renewal, the authority that granted the charter “shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.” (Ed. Code, § 47607(a)(3)(A).) In arriving its decision to grant or deny a renewal, the chartering authority must consider academic increases for the Charter School, giving it the greatest weight of any factor.

Manzanita’s schoolwide academic performance data is summarized in the charts above as Section II.A.2. Those results show that from 2016/17 to 2018/19, the Charter School’s schoolwide academic achievement on the ELA and Math portion of the CAASPP declined with regard to the percentage of its students meeting or exceeding the CAASPP standards.

Declines in academic performance for significant subgroups of Manzanita students—Economically Disadvantaged students, Latino/Hispanic Students, and English Learners—are particularly troubling.<sup>1</sup> The Board has weighed the Charter School’s academic performance, overall, against other factors, including strengths of the Charter School, such as the quality of its current leadership and the positive behavioral climate at the school. It has also given greater weight where there were increases in academic achievement. However, these positive factors are

<sup>1</sup> No CAASPP scores were reported for African American, migrant, or homeless students, as the number of students in those groups taking the tests was less than 10.

outweighed by the decreases in academic achievement for the Charter School, as a whole, and for its student subgroups. Overall, the decreases in academic achievement, as described in detail above, outweighed the increases. This Charter School has been in existence for almost two decades. Presently, it underperforms academically from most of the District operated middle schools.

Based on its serious concerns with the Charter School's academic performance, the Board finds that Manzanita is demonstrably unlikely to successfully implement its program as set forth in the Renewal Petition.

### **III. Board Action**

Based on review of the Renewal Petition and the Staff Report, the Board of Education of the West Contra Costa Unified School District hereby denies the Renewal Petition for Manzanita Middle School and pursuant to Education Code section 47605, subdivision (b), adopts the Findings of Fact set forth herein, as its own findings.