

**Latino College Preparatory Academy
Charter Petition Renewal
East Side Union High School District Staff Recommendations**

**STAFF ANALYSIS AND PROPOSED FINDINGS OF FACT REGARDING REVIEW
OF LATINO COLLEGE PREPARATORY CHARTER RENEWAL PETITION**

January 12, 2021

The Foundation For Hispanic Education (TFHE) seeks approval to renew the Latino College Preparatory Academy charter petition (LCPA), Located at 14271 Story Road, San Jose, CA 95127. The LCPA renewal petition was submitted by Dr. Sherry Segura, Chief Executive Officer for The Foundation for Hispanic Education, on November 2, 2020 to the East Side Union High School District (ESUHSD). The ESUHSD Board of Trustees first approved a charter petition for LCPA on January 29, 2001 and this renewal if approved, will commence their 5th, 5 year term, beginning July 1, 2021 and ending on June 30, 2026. LCPA is a school of approximately 430 students in grades 9 – 12.

PROCEDURAL STATUS

The Assessment and Accountability Department of the East Side Union High School District (ESUHSD) received a renewal charter petition for Latino College Preparatory Academy (LCPA) from The Foundation for Hispanic Education (TFHE) on November 2, 2020. Education Codes 47607 and 47607.2 determine the length of charter renewal based on upper, middle, or lower performing categories for charter schools established by AB 1505. Per the California Department of Education's (CDE) AB 1505 charter performance list, LCPA falls into the middle performing category and would qualify for a five-year renewal term (see further analysis below). If the charter is renewed by the ESUHSD Board of Trustees, the new term of the Charter would begin on July 1, 2021, and run through and including June 30, 2026. Renewals and material revisions of charters are governed by the standards and criteria set forth in Education Code Section 47605, 47607 and 47607.2.

On October 29, 2020, ESUHSD Staff conducted a renewal site visit and held renewal meetings with Tahoma parents, students, staff, board members, representatives of LCPA leadership team, and as the charter management organization team, administrators of the TFHE. On December 15, 2020, The ESUHSD Board of Trustees held a public hearing on the LCPA Renewal Petition in accordance with the requirement to do so within 60 days of receipt of the renewal petition. Per Education Code Sections 47607, 47607.2 and 47605, the ESUHSD Board of Trustees has 90 days from receipt of the renewal application to act, which may be extended by an additional 30 days by mutual agreement. ESUHSD and TFHE agreed an extension was not necessary.

The complete renewal Petition for LCPS the ESUHSD Board of Trustees is acting on is available for review at: [Click here to access the petition](#)

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 governing board upon receipt with all of the following requirements:

(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 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 [ESUHSD Board of Trustees] 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 includes additional considerations and standards.

Education Code Section 47605 specifies the ESUHSD Board of Trustees 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 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 Upper, Middle, or Lower Performance category based on academic performance results:

- a. *Upper Performing: The renewal term may be 5-7 years, based on the chartering authority's discretion, if either of the following criteria has been met in the two years preceding renewal:*
 - i. *The schoolwide student group is in the two highest performance bands for all indicators on the California Dashboard for the preceding two years prior to renewal, OR*
 - ii. *The schoolwide student group and a majority of the school's student groups perform the same or higher than the State average in all academic indicators on the California Dashboard for the preceding two years prior to renewal.*
- b. *Lower Performing: A school will not be renewed if either of the following criteria has been met in the two years preceding renewal:*
 - i. *The schoolwide student group is in the two lowest performance bands for all indicators on the California Dashboard for the preceding two years prior to renewal, OR*
 - ii. *The schoolwide student group and a majority of the school's student groups perform at the same level or lower than the State average in all academic indicators on the California Dashboard for the preceding two years prior to renewal.*

However, the chartering authority may make an exception and renew a low performing school for two years if it makes both of the following written factual findings:

- iii. *The charter school is taking meaningful steps to address the underlying cause or causes of low performance, and those steps are or will be reflected in a written plan adopted by the charter school's governing board, AND*
 - iv. *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.*
- c. *Middle Performing: Any school not deemed high or low performing is eligible to be considered for a 5-year renewal term. In determining whether to renew the charter, the chartering authority is to consider:*
 - i. *Performance on the state and local indicators on the Dashboard, giving greater weight to measurements of academic performance*
 - ii. *Clear and convincing evidence based on verified data showing either:*
 - a) *The school achieved measurable increases in academic achievement, defined by at least one year of growth for each year of school, OR*
 - b) *Strong post-secondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.*

The chartering authority may deny a middle performing school on these bases only by making written factual findings that the school:

- i. *Failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school;*
- ii. *Closure of the school is in the best interest of pupils; AND*
- iii. *If applicable, that the decision provided greater weight to performance on measurements of academic performance.*

State Level Data Availability

In accordance with the recent standards established by AB 1505 in Education Code Section 47607 and 47607.2, the CDE created a list of all charter schools and ranked their academic performance indicators from the California School Dashboard, specifying whether each school is in the upper, middle, or lower performance category, or is a Dashboard Alternative School Status (DASS) program. This list was intended to relieve the burden on chartering authorities and provide a starting place for the renewal process. 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. Thus, the data used to create the 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. (Education Code Section 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(e)), in any of the three performance categories if it finds 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.*

In such cases, the authorizer must provide the charter school at least 30 days' notice of the alleged violation(s) and provide the charter school with a reasonable opportunity to cure the violation(s), including a corrective action plan proposed by the charter school. The ESUHSD Board of Trustees may then deny renewal on these bases only by making either of the following findings:

- a. The corrective action proposed by the charter school has been unsuccessful.
- b. The violations are sufficiently severe and pervasive as to render a corrective action plan unviable.

DETERMINATION CRITERIA FOR RENEWAL OF LCPA

The data below represents data from both the LCPA renewal and The California Department of Education’s (CDE) DataQuest website which provides publicly available data on all California Schools.

Upper Performing, Middle Performing, or Lower Performing per the California Department of Education.

The CDE released a list of all California charter schools’ performance data and their performance category. Based on the CDE’s list, LCPA falls into the middle performing tier. The tables below show data for the determination of the 3 tiers of performance.

Table 1: Performance Tier Data

CRITERIA 1	Y/N	Chronic Absenteeism										Suspension Rate					Graduation Rate					College/Career					English Language Arts					Mathematics					Language Proficiency									
Student Group		2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020					
All Students									0.9	0.0				87.5	86.0				60.7	42.7				-52.4	-29.9				-146.3	-93.2																
English Learners									0.8	0.0				72.7	84.4				30.3					-116.7	-103.5				-189.7	-165.4																
Foster Youth																																														
Homeless																																														
Socio Econ Disadvantaged									1.0	0.0				87.5	87.8				60.7	43.6				-50.7	-27.8				-145.8	-95.2																
SWD									0.0	0.0																																				
African American																																														
American Indian																																														
Asian																																														
Filipino																																														
Hispanic									0.9	0.0				87.4	86.9				60.4	43.2				-52.4	-30.3				-146.3	-95.4																
Pacific Islander																																														
White																																														
Two or More Races																																														

CRITERIA 2	Y/N	No	CRITERIA 4					Y/N	No					
Student Group			English Language Arts			Mathematics		Language Proficiency		College/Career				
			2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
School - All students			-52.4	-29.9		-146.3	-93.2		23.9	46.1		60.7	42.7	0
STATE			-6	-3		-36.4	-33.5		30.6	48.3		42.2	41	0
School - English Learners			-116.7	-103.5		-189.7	-165.4							
STATE			-47.1	-45.6		-69.9	-68.6							
School - SED			-50.7	-27.8		-145.8	-95.2							
STATE			-34.7	-30.5		-67.4	-63.7							
School - SWD														
STATE			-95.5	-88.3		-125.3	-119.4							
School - Hispanic			-52.4	-30.3		-146.3	-95.4							
STATE			-31.3	-27.1		-65.8	-62.2							

CRITERIA 3	Y/N	No	Chronic Absenteeism										Suspension Rate					Graduation Rate					College/Career					English Language Arts					Mathematics					Language Proficiency				
Student Group			2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020					
All Students										0.4	0.9	0.0			91	87.5	86.0			48	60.7	42.7								-52.4	-29.9				-146.3	-93.2				23.9	46.1	

Legend:
 Colors for Criteria 1 and Criteria 3 correspond to the five performance indicator colors on the California Dashboard
 Orders of Colors: Red - lowest performance, Orange, Yellow, Green, Blue - highest performance
 Colors for Criteria 3 and Criteria 4: Green = out performs the State, Red = does not out perform the State
 Criteria 1: If any color other than blue or green is present, school does not qualify for the upper performing tier
 Criteria 2: If any color other than green is present, school does not qualify for upper performing tier
 Criteria 3: If any color other than red or orange is present, school does not qualify for lower performing tier
 Criteria 4: If any color other than red is present, school does not qualify for lower performing tier

As evidenced in the table above LCPA does not meet criteria 1 and 2 and thus does not fall into the upper performing tier. LCPA does not meet criteria 3 and 4 and thus does not fall into the lower performing tier. Hence, LCPA is in the middle performing tier.

Student Demographics

The table below shows the demographic breakdown of LCPA for the 2019-20 school year to provide context for the student data.

LCPA 2019-20 Student Demographics		
Demographic Subgroups	Percent	Number of Students
African American	0.2%	1
American Indian or Alaska Native	0.0%	0
Asian	0.0%	0
Filipino	0.0%	0
Hispanic or Latino	99.8%	432
Not Reported	0.0%	0
Pacific Islander	0.0%	0
Two or More Races	0.0%	0
White	0.0%	0
English Learners	28.9%	125
Foster Youth	0.0%	0
Homeless Youth	0.0%	0
Migrant Education	0.0%	0
Students with Disabilities	10.6%	46
Socioeconomically Disadvantaged	84.8%	433

Graduation Rate and College and Career Readiness data is a metric that considers grade 12 students only. English Language Arts and Mathematics data is from the California Assessment of Student Performance and Progress (CAASPP) and for high schools, represents grade 11 students only. Suspension data represents the whole school population and the English Learner Progress indicator uses data from the English Language Proficiency Assessment of California (ELPAC) which is given to English Language Learner students only.

**Academic Data
California Schools Dashboard Data**

The State of California implemented a data dashboard in 2017 that identifies areas of strengths and areas for improvement for schools and districts. The dashboard shows how schools, districts and student subgroups are performing and whether or not they have improved from year to year. The dashboard is based on two measures, status and change. Performance data from the current year (status) is compared to the performance data of the prior year to determine whether or not the status improved or not (change). A student group must contain 30 students in consecutive years to receive both a status and color and status is only displayed if the student group contains 11 or more students.

California Dashboard Performance Color Chart

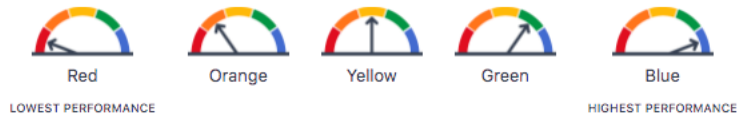


Table 2: California Dashboard Outcomes - LCPA

Student Group	Suspension Rate		Graduation Rate		College/Career		English Language Arts DFS		Mathematics DFS		English Learner Progress	
	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019
All Students	0.9%	0.0%	87.5%	86.0%	60.7%	42.7%	-52.4	-29.9	-146.3	-93.2		46.10%
English Learners	0.8%	0.0%	72.7%	84.4%	30.3%	27.6%	-116.7	-103.5	-189.7	-165.4		
Socio Econ Disadvantaged	1.0%	0.0%	87.5%	87.8%	60.7%	43.6%	-50.7	-27.8	-145.8	-95.2		
SWD	0.0%	0.0%		66.7%		0.0%	-125.0	-122.9	-183.3	-165.7		
Hispanic	0.9%	0.0%	87.4%	86.9%	60.4%	43.2%	-52.4	-30.3	-146.3	-95.4		

* In order to get a color for a student group it must contain 30 or more students
 * In order to get a status for a student group is must contain 11 or more students
 * DFS: Distance From Meeting Standard

Due to COVID-19 and the suspension of state testing, the California Dashboard was suspended for 2020. Therefore Table 2 above shows the most recent two years of Dashboard data. LCPA showed decreases in suspension rates from 2018-2019 for all subgroups and all have a suspension rate of 0.0%. The Graduation rate decreased for All Students by 1.5 percentage points and Hispanic students decreased by .5 percentage points. Graduation rates increased for English Language Learners by 11.7 percentage points and Socioeconomically Disadvantaged student group by .3 percentage points. Students overall and all subgroups decreased in the percentage of students College and Career ready. The data for English Language Arts and Mathematics is a measure of the average distance in student’s scale scores from meeting standard. Students overall and all subgroups improved in their distance from meeting standard in both English Language Arts and Mathematics. The data above shows mixed performance where some areas show improvement while other areas did not.

Public Data From The CDE DataQuest site

The tables below show the CAASPP State assessments in English Language Arts (ELA) and Math. These exams are given in grades 3-8, and 11. Since LCPA is a 9-12 grade school the scores represent only grade 11 students. Since LCPA is 99.8% Hispanic, 28.9% English Language Learners, 10.6% Students with Disabilities, and 84.8% Socioeconomically Disadvantaged we consider data representative of those student groups.

CAASPP ENGLISH/LANGUAGE ARTS STANDARD MET OR EXCEEDED				
HISPANIC				
	LCPA	ESUHSD	County	State
2018-19	38%	43%	44%	48%
2017-18	26%	44%	43%	47%
2016-17	47%	48%	48%	50%
ENGLISH LEARNERS				
	LCPA	ESUHSD	County	State
2018-19	0%	8%	9%	8%
2017-18	4%	9%	9%	7%
2016-17	7%	12%	13%	10%
SOCIOECONOMICALLY DISADVANTAGED				
	LCPA	ESUHSD	County	State
2018-19	39%	50%	46%	47%
2017-18	22%	48%	45%	46%
2016-17	41%	56%	51%	49%
STUDENTS WITH DISABILITIES				
	LCPA	ESUHSD	County	State
2018-19	8%	13%	20%	16%
2017-18	0%	11%	20%	15%

CAASPP MATH STANDARD MET OR EXCEEDED				
HISPANIC				
	LCPA	ESUHSD	County	State
2018-19	22%	16%	20%	20%
2017-18	4%	15%	18%	19%
2016-17	13%	16%	18%	20%
ENGLISH LEARNERS				
	LCPA	ESUHSD	County	State
2018-19	0%	10%	10%	5%
2017-18	4%	12%	10%	6%
2016-17	0%	11%	11%	6%
SOCIOECONOMICALLY DISADVANTAGED				
	LCPA	ESUHSD	County	State
2018-19	22%	28%	25%	21%
2017-18	5%	27%	24%	20%
2016-17	11%	30%	25%	20%
STUDENTS WITH DISABILITIES				
	LCPA	ESUHSD	County	State
2018-19	8%	6%	10%	5%
2017-18	8%	2%	10%	5%

The data above shows the grade 11 CAASPP percent of students scoring meeting or exceeding standards for the years available representative of the current LCPA charter term. The data does not represent student growth but rather different students' performance each year since only grade 11 students take the exam.

The percent of students scoring meeting or exceeding standard in ELA decreased from 2016-17 to 2017-18 and then increased from 2017-18 to 2018-19 for all subgroups and school wide at LCPA. A similar trend is exhibited for ESUHSD, Santa Clara County, and the State. LCPA has a lower percentage of students scoring meeting or exceeding standards in ELA than ESUHSD, Santa Clara County, and the State.

The percent of students scoring meeting or exceeding standard in Math decreased from 2016-17 to 2017-18 and then increased from 2017-18 to 2018-19 for Hispanic and Socioeconomically Disadvantaged subgroups and remained the same for Students With Disabilities at LCPA. English Learners showed an increase and then decrease over the years. A similar trend is exhibited for ESUHSD, Santa Clara County, and the State. The Hispanic subgroup at LCPA has a higher percentage of students scoring meeting or exceeding standards in Mathematics than ESUHSD, Santa Clara County, and the State. The Socioeconomically Disadvantaged student subgroup at LCPA has a higher percentage of students meeting or exceeding standard in Math than Santa Clara County and the State but is lower than ESUHSD. The English Language Learner subgroup has a lower percentage of students meeting or exceeding standard in Math than ESUHSD, Santa Clara County, and the State. The Students With Disability

subgroup has a higher percentage of students meeting or exceeding standard than ESUHSD and the State but lower than Santa Clara County.

The Data below is from the LCPA petition and shows English Learner data from the ELPAC state assessment which is used to gauge English Proficiency.

Student English Language Acquisition Results

The percentage of current EL students who progressed at least one ELPI level, maintained ELPI level 4, maintained lower ELPI levels (i.e, levels 1, 2L, 2H, 3L, or 3H), or decreased at least one ELPI Level.



ELPAC Annual Assessment Grades 9-12	2017-18	2018-19
All Students		
% Well Developed Level = 4	23.85%	21.82%
% Moderately Developed Level = 3	25.69%	31.82%
% Somewhat Developed Level = 2	17.43%	22.73%
% Beginning Stage Level = 1	33.03%	23.64%

The top graph shows that 36.2% of English learner students who progressed 1 level on the ELPAC. 46.1% of English learner students are making progress which is a California Dashboard metric. The second chart shows the ELPAC results for the two most current years. The chart shows a decrease of 9.4 percentage points in students scoring at the lowest level of 1, a 5.3 percentage point increase in students scoring a level 2, and 6.2 percentage point increase in students scoring a level 3, showing improvement in student English Proficiency levels.

College and Career Readiness Data

The data below is from the CDE DataQuest website as well as from the LCPA petition. The table below shows the Graduation Rate data from the DataQuest website for LCPA, ESUHSD, Santa Clara County, and the State. As stated prior, to allow for a better comparison the Hispanic, English Language Learner, Socioeconomically Disadvantaged, and Students with Disabilities subgroups will be presented.

Graduation Rate				
HISPANIC				
	LCPA	ESUHSD	County	State
2019-20	94.1%	79.3%	72.8%	82.2%
2018-19	86.3%	81.3%	74.7%	82.1%
2017-18	87.4%	78.8%	72.6%	80.6%
2016-17	86.0%	75.2%	73.0%	80.3%
ENGLISH LEARNERS				
	LCPA	ESUHSD	County	State
2019-20	86.7%	72.3%	56.9%	69.1%
2018-19	82.8%	75.1%	60.1%	68.7%
2017-18	72.7%	74.0%	60.2%	67.9%
2016-17	76.8%	68.8%	59.0%	67.1%
SOCIOECONOMICALLY DISADVANTAGED				
	LCPA	ESUHSD	County	State
2019-20	93.9%	82.2%	73.5%	81.2%
2018-19	87.2%	83.8%	77.0%	81.1%
2017-18	87.5%	81.9%	75.8%	79.6%
2016-17	85.3%	79.4%	75.4%	78.8%
STUDENTS WITH DISABILITIES				
	LCPA	ESUHSD	County	State
2019-20	100.0%	67.1%	64.8%	68.4%
2018-19	66.7%	69.0%	68.8%	67.7%
2017-18	*	63.5%	68.0%	66.3%
2016-17	*	59.3%	68.0%	65.0%
* 10 or less students				

The LCPA Graduation Rates for the Hispanic subgroup is 94.1%, the English Language Learner subgroup is 86.7%, the Socioeconomically Disadvantaged subgroup is 93.9%, and the Students with Disabilities subgroup is 100%. All 4 groups have shown increases in Graduation Rates over the last 4 years and have been above the rates of ESUHSD, Santa Clara County, and the State.

The Table below contains data from the CDE DataQuest website on the percent of graduates completing the UC/CSU A-G required course work.

Graduates Meeting UC/CSU Requirements				
HISPANIC				
	LCPA	ESUHSD	County	State
2019-20	48.4%	32.3%	41.3%	43.8%
2018-19	43.9%	31.7%	34.1%	43.6%
2017-18	64.9%	31.4%	37.9%	42.5%
2016-17	57.1%	27.3%	36.2%	42.4%
ENGLISH LEARNERS				
	LCPA	ESUHSD	County	State
2019-20	19.2%	22.1%	29.8%	24.7%
2018-19	25.0%	22.3%	25.4%	25.7%
2017-18	37.5%	25.2%	26.2%	23.9%
2016-17	39.5%	18.8%	24.1%	24.0%
SOCIOECONOMICALLY DISADVANTAGED				
	LCPA	ESUHSD	County	State
2019-20	48.4%	44.5%	46.2%	42.8%
2018-19	43.9%	43.8%	39.2%	42.7%
2017-18	65.3%	43.7%	42.8%	42.0%
2016-17	57.6%	38.3%	40.2%	41.5%
STUDENTS WITH DISABILITIES				
	LCPA	ESUHSD	County	State
2019-20	30.8%	13.3%	24.4%	18.1%
2018-19	10.0%	7.7%	19.8%	17.7%
2017-18	*	9.6%	17.1%	16.7%
2016-17	*	8.9%	17.5%	16.1%
* 10 or less students				

When comparing 2018-19 UC/CSU A-G rates to 2019-20 UC/CSU A-G rates for LCPA, the data shows an increase in the Hispanic subgroup, Socioeconomically Disadvantaged subgroup and the Students with disabilities subgroup and a decrease in the English Learner subgroup UC/CSU A-G rates. The LCPA Hispanic, Socioeconomically Disadvantaged, and Students with Disabilities subgroup UC/CSU A-G rate is above ESUHSD, Santa Clara County, and the State rates while the English Learner subgroup is below ESUHSD, Santa Clara County, and the State rates.

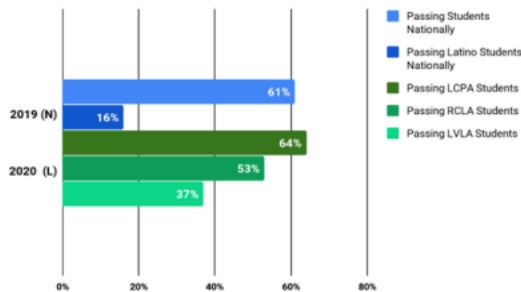
The following graph and data below is from the LCPA petition on Advanced Placement Course exam passing rates. In 2019-20 64% of all LCPA students who took an Advance Placement exam passed that exam with a 3 or higher score. In 2019-20 61% of Hispanic LCPA students who took an Advance Placement exam passed that exam with a 3 or higher score.

LCPA Advanced Placement (AP) Test Score Results:

Advance Placement (AP) Results – 2019/2020 Academic Year

Teacher	Subject	Percent of 3 Above
Ms. Martínez	2-D Art and Design	50%
Ms. Martínez	Drawing	100%
Ms. Manoguerra	English Language and Composition	63%
Ms. Azevedo	English Literature and Composition	67%
Ms. Escobedo	Environmental Science	20%
Ms. Sanchez	Spanish Language and Culture	97%
Ms. Sanchez	Spanish Language and Literature	69%
Ms. Aguilar	United States Government and Politics	46%
Mr. Herrera	United States History	60%
Mr. Loredó	World History Modern	71%

Percentage of Students Passing with a 3 or Better, 2019 - 2020



Ed Code 47607 and 47607.2 require charter schools to show improvement in student academic performance, explicitly one year’s growth for each year and/or strong post-secondary outcomes. It also requires the use of verifiable data as approved by the SBE. However this is a new requirement and SBE approved the list of verifiable data sources in January 2021. LCPA shows areas of improvement in academic achievement on ELA and Math CAASPP scores and improvement on English proficiency scores. LCPA scores both higher than and lower than ESUHSD, Santa Clara County, and the State on some CAASPP metrics). LCPA graduation rates have increased for all subgroups and are above the rates of ESUHSD, Santa Clara County, and the state. 64% of students taking AP exams are passing them. UC/CSU A-G rates have decreased for some subgroups and increased for others. However the Hispanic, Socioeconomically Disadvantaged, and Students with Disability subgroups A-G rates are above ESUHSD, Santa Clara County, and the State rates. These data show college and career readiness.

Staff finds that students are achieving using the measures above. However, those measures for the most part only include part of the school. Now that the SBE has approved verifiable data that include assessment vendors and post-secondary outcome sources and vendors, staff recommends that LCPA add the use of some of these approved vendors to their petition and program so that they can show post-secondary outcomes and student achievement for all grade levels of students and for all student groups.

Finances

The Latino College Preparatory Academy (LCPA) exhibits a healthy financial position. As of June 30, 2019, LCPA had an audited reserve balance of 8%. (Audit Report for the Year Ended June 30, 2020 extended to March 31, 2021 as per Senate Bill 98.)

LCPA, The Foundation for Hispanic Education (TFHE), and TFHE Board of Directors have shown steady fiscal oversight.

The Independent Auditor's Report for the Year Ended June 30, 2019, reports an Unmodified Opinion on the financial statements, as well as on State and Federal compliance with various laws and regulations. Additionally, the audit report identified deficiencies, or material weakness disclosed regarding internal control over financial reporting. There were no identified deficiencies, or material weaknesses disclosed regarding compliance and other matters.

All fiscal reports as required by law and the East Side Union High School District, have been received on a timely basis.

LCPA maintains and implements sound fiscal policies and procedures, including, but not limited to, internal controls governing all financial and business-related activities.

LCPA reported an Average Daily Attendance (ADA) of 416.30 for Fiscal Year (FY) 2019-20 and projected a steady enrollment of 416.10 ADA for FY 2020-21. LCPA has projected ADA at 96%. The Charter Fiscal Oversight staff is not aware of any significant financial concerns for LCPA.

Fiscal Historical Revenue/Expenditure Data for Latino College Preparatory Academy

	2017-18	2018-19	*2019-20
A. Beginning Balance	849,154.00	828,718.00	516,588.00
B. Revenues	5,903,239.00	5,994,596.00	6,847,322.00
C. Expenditures	5,923,675.00	6,306,726.00	6,373,404.00
D. Surplus/Deficit (B-C)	(20,436.00)	(312,130.00)	473,918.00
E. Ending Balance (A+D)	828,718.00	516,588.00	990,506.00

*2019-20 Unaudited Actuals Financial Report data; Audit Report has been extended through March 31, 2021 as per Senate Bill 98.

REVIEW OF THE CHARTER PETITION

ESUHSD staff reviewed the renewal petition using the criteria stated in Education Code 47605(c), 47607, and 47607.2.

1. Educational Program

Staff found that the LCPA renewal charter petition presents a sound educational program. There are items addressed below under required elements A-O recommending that TFHE and LCPA staff work with ESUHSD staff to correct or add to the petition.

2. Ability to successfully implement the program set forth in the petition

Staff found that LCPA is demonstratively likely to implement the program set forth in the petition.

3. Affirmation of each of the conditions required by statute

Staff found that the LCPA petition contains each of the affirmations required by statute.

4. Reasonably comprehensive description of the required elements

A. Element One: Description of the Educational Program/Plan for Student Academic Achievement

ESUHSD staff reviewed the educational program stated in the renewal petition and conducted a virtual school visit on October 29, 2020. Staff found that the school is implementing the program and curriculum stated in the petition. The curriculum and program are aligned with the California Common Core State Standards and the New Generation Science Standards and are grade level appropriate for a grade 9-12 high school. Staff found that LCPA has a complete contingent of UC/CSU A-G courses needed for students to graduate satisfying the UC/CSU course admissions requirements.

Staff found that the petition did not state how parents are notified about the transferability of courses taken at LCPA to other schools upon transfer to another high school.

Staff found that the LCAP presented in the petition supports the educational program offered at LCPA and addresses the 8 state priorities. However the LCAP does not specify outcomes and measures targeting the subgroups required in Education Code 52052.

Staff found the petition was overall compliant in this area and recommends that TFHE and LCPA staff work with ESUHSD staff to ensure that statements are added to the petition specifying how parents are notified about the transferability of courses taken at LCPA to other schools upon transfer to another high school. Staff recommends for the new 3 year LCAP beginning in 2021-22 that TFHE and LCPA staff specify outcomes and measures that include the subgroups required of Education Code 52052.

English Language Learners

Staff found that the petition address the needs of the English Language Learner population and provides pull out ELD for students who require it and uses the integrated approach to serving the needs of English Learner students by providing the academic supports needed in core content courses. The petition states criteria for the reclassification of English Language Learners to English proficient. However the form provided in appendix 41 that is used in the reclassification process did not align with the criteria stated in the petition as it uses the prior CELDT assessment which has been replaced by the State with the ELPAC assessment.

Staff finds that the petition is compliant in this area but recommends that TFHE and LCPA staff work with ESUHSD staff to ensure corrected forms are placed in the petition.

Special Education

LCPA continues to be an independently operating charter school for special education services and is a member of the Sonoma County Charter SELPA in good standing. Staff found in the petition, and verified during the October visit, that LCPA is following required special education law in providing services to Students with Disabilities.

B. Element Two: Measurable Student Outcomes

The measurable student outcomes in the petition are aligned with the mission of the charter and are aligned with and supported by the LCAP and address the 8 state priorities required by Education Code 52060. However, there is a misalignment between the goals stated in the charter and the measures used to assess progress on the goals. In addition, significant subgroups: English Language Learners, Students with Disabilities, Socioeconomically

Disadvantaged students, are not specifically included in the goal metrics and outcomes. The petition states that the school uses NWEA MAP assessments which is one of the assessment platforms approved by the CA SBE as providing verifiable data. However, this is not used in the measurable student outcomes. The petition speaks to the College and Career metric on the CA Dashboard but does not included data on college access.

Ed code 47607.2(b)(1) requires that verifiable data be used to show evidence of either 1 year's growth per year in school and/or strong post-secondary outcomes. ESUHSD staff recommends that staff from TFHE and LCPA work with ESUHSD staff to adjust goals to include significant subgroups and create measurable goals that will show 1 year's growth for each year in school and/or strong post-secondary outcomes so that the required data for renewal will be available to the school for their next renewal as required in Education Code.

C. Element Three: Method by Which Pupil Progress in Meeting Outcomes will be Measured

LCPA uses a variety of assessments including NWEA MAP testing in English and Math, which is an assessment listed by CA SBE as an approved assessment to produce verifiable data. The petition describes a continuous improvement process for student learning where teachers use the assessments to target instruction for students.

ESUHSD staff finds this section includes a reasonably comprehensive description of the methods by which pupil progress in meeting outcomes will be measured.

D. Element Four: Governance Structure

LCPA is governed by the Board of Trustees of The Foundation for Hispanic Education which is a California 501(c) non-profit benefit corporation. Per the petition the board shall consist of 5 to no more than 9 trustees. Currently there are 5 board members whose resumes were included in the petition. The Board of Trustees has a current Conflict of Interest Policy and complies with the Ralph M. Brown Act and has agreed to adhere to the Public Records Act, Government code 1090, the Political Reform Act of 1974, and Education code section 47604.1 as added by SB 126 (2019). Parent input is solicited through parent meetings, School Site Council and the English Learners Advisory committee (ELAC).

Staff finds the petition contains a reasonably comprehensive description of LCPA's governance structure.

E. Element Five: Employee Qualifications

As of 07/01/2020 ALL teachers must have appropriate credentials during the school day for instructional minutes, including non-core/non-college prep courses. All teachers at LCPA are fully credentialed. However, on page 108 in the LCPA petition it states, *“Currently Physical Education and Advisory and/or Tutorial are considered a non-core, non-college preparatory course within which the LCPA may exercise this flexibility”* referring to credentialing. There is also another reference on page 128 regarding the credentials of only Core academic teaching staff. Job Positions mentioned in the petition and listed in the organization chart provided in the petition specifies job positions that do not have job descriptions provided in the petition.

ESUHSD staff recommends that TFHE and LCPA staff change the language in the petition to reflect current Education Code regarding teacher credentialing and add a job description for the missing positions listed in the petition.

F. Element Six: Health and Safety

The petition states that employees, volunteers, and contractors are required to go through criminal background checks through the live scan finger printing service. The petition contains a comprehensive site safety plan.

Staff found that the petition contains a reasonably comprehensive description of Health and Safety measures.

G. Element Seven: Racial, Ethnic, English Learner, and Special Education Balance

On July 1, 2020, AB 1505 took effect, updating Element G to require schools to provide a reasonably comprehensive description of how the school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, reflective of the general population residing within the district. The chart below shows the enrollment demographics of LCPA and ESUHSD, along with Alum Rock Union School District (ARUSD), Mount Pleasant Elementary School District (MPESD), and Franklin McKinley School District (FMSD), the three districts where the school states they focus recruitment.

Demographic Comparison 2019-20 Student Enrollment					
Demographic Subgroups	LCPA	ESUHSD	MPESD	ARUSD	FMSD
African American	0.2%	1.9%	1.8%	1.1%	1.7%
American Indian or Alaska Native	0.0%	0.2%	0.4%	0.3%	0.1%
Asian	0.0%	37.5%	17.4%	11.7%	30.2%
Filipino	0.0%	7.5%	0.7%	5.0%	4.1%
Hispanic or Latino	99.8%	44.3%	71.8%	78.3%	59.8%
Not Reported	0.0%	0.0%	1.4%	0.0%	0.0%
Pacific Islander	0.0%	0.7%	1.4%	0.4%	0.3%
Two or More Races	0.0%	2.5%	2.6%	1.4%	1.5%
White	0.0%	5.3%	2.5%	1.6%	2.3%
English Learners	28.9%	15.7%	44.2%	36.3%	44.2%
Foster Youth	0.0%	0.2%	0.4%	0.4%	0.4%
Homeless Youth	0.0%	1.2%	0.4%	0.7%	0.4%
Migrant Education	0.0%	0.6%	0.2%	0.6%	0.2%
Students with Disabilities	10.6%	10.3%	10.4%	11.2%	10.4%
Socioeconomically Disadvantaged	84.8%	49.4%	75.2%	82.1%	75.2%

The LCPA petition describes a recruitment plan which has been successful in ensuring the school enrollment is near capacity and demographic data show that the school has comparable or higher percentages of English language Learners, Students with Disabilities, and Socioeconomically Disadvantaged populations to the ESUHSD as a whole as Ed Code 47605(c)(G) specifies. When comparing the racial/ethnic distributions of the populations attending LCPA and ESUHSD, LCPA is not representative of the district. LCPA has a racial/ethnic distribution that consists of 99.8% Hispanic students and shows an under representation of Asian, African American, Filipino, and white students. In a meeting with TFHE staff they indicated they reach out broadly to recruit students from differing racial/ethnic backgrounds in the above mentioned feeder districts.

Staff recommends that the LCPA and TFHE staff add to the descriptions in the petition on recruitment efforts specifying ways they target underrepresented populations of students at LCPA.

H. Element Eight: Admissions Policies and Procedures

The petition specifies the mandatory assurances regarding non-discriminatory admission procedures and describes a lottery process, including student enrollment preferences, to be used if there are more student applicants than room at the school. The petition also contains supplementary documents used in the application process that show that no student demographic information is solicited that might allow for the exclusion of certain student populations. A student/parent handbook was also provided in the petition. The petition states on page 137 of the petition that parent volunteerism is not required in order for students to attend the charter school but no information was found in the petition that shows how parents are notified that volunteerism is not required as a condition of school attendance and enrollment.

It is recommended that LCPA and TFHE staff correct recruitment forms to indicate that parent volunteerism is not a requirement of attendance or admissions.

I. Element Nine: Financial Audit

Staff found that the petition contained a reasonably comprehensive description of the required financial audit components.

J. Element Ten: Pupil Suspension and Expulsion

The petition outlines suspension & expulsion policies that are in alignment with Education Code. LCPA states that they engage in Restorative Practices and clearly outlines alternatives to suspension and expulsion within the petition. The petition does not address how stakeholders will be involved in the development and implementation of the disciplinary process within LCPA. In addition, the petition states that when a student has been expelled they will provide notice to the district and provide data annually regarding suspension and expulsion. The petition does not indicate that LCPA will provide an updated address and the students cumulative record within the required 30 day time frame for students expelled as required by Education Code. Lastly, the petition does not clearly outline the role of the resident district or COE in disciplinary matters.

It is recommended that LCPA and TFHE staff make adjustments to their petition indicating processes to ensure stakeholders are involved in the development and implementation of the disciplinary process. It is also recommended that a statement be added to the petition specifying the 30 day timeline for notification to the district for expelled students as well as clearly stating in the discipline policies and practices, the end of the expulsion appeal process and what role, if any, the COE and ESUHSD has in that process.

K. Element Eleven: Staff Retirement system

Staff found that the petition contained a reasonably comprehensive description of this element but does not outline/describe the actual process by which salaries, benefits, working conditions and items, i.e., calendars, holidays, vacations, work day and year will be determined.

It is recommended that LCPA and TFHE staff add to the petition, The process by which salaries, benefits, working conditions and items, i.e., calendars, holidays, vacations, work day and year will be determined.

L. Element Twelve: Attendance Alternatives

Staff found that the petition contains a reasonably comprehensive description of attendance alternatives.

M. Element Thirteen: Description of Employee Rights

Staff found the petition contains a reasonably comprehensive description of employee rights.

N. Element Fourteen: Dispute Resolution Process

Staff found the petition contains a reasonably comprehensive description of the dispute resolution process.

O. Element Fifteen: Closure of the Charter School

Staff found the petition contains a reasonably comprehensive description of the school closure process.

5. Exclusive Public Employer

As required by the Charter Schools Act, the Charter specifies LCPA shall be deemed the exclusive public employer of the employees of the Charter School for the purposes of Educational Employment Relations Act (“EERA”).

6. Requirements for Grade-Levels Served, Facility Location, and Students Served

LCPA serves students in grades 9-12 and houses the school at a facility located at, 14271 Story Road, San Jose, CA 95127, where the TFHE holds a long term lease for the facility.

Staff found the petitioners are able to meet the requirements for grade levels served, facility location, and students served.

7. Any other Criteria Set forth in the Statute

Staff had no findings in this area.

8. Additional Criteria for Denying a Charter Renewal

a. Substantial fiscal factors

Staff did not find any fiscal factors of concern.

b. Substantial governance factors

Staff did not find any governance factors of concern.

c. The charter school is not serving all pupils who wish to attend.

Staff did not find any evidence that the charter school is not serving all pupils who wish to attend.

CONCLUSION AND RECOMMENDATION

ESUHSD staff find that the charter school shows sufficient progress in student achievement and sound fiscal practices. The petition addresses the required elements stated in Education Code but has areas that need edits and or additions to make it complete.

Staff recommends that The ESUHSD Board of Trustees renew the LCPA Charter for a term of 5 years beginning July 1, 2021 and ending on June 30, 2026, with the condition that LCPA and TFHE staff work with ESUHSD staff to make the recommended changes and edits to the petition and enter into the standard MOU agreement outlining operating requirements, compliance deadlines, and authorizer and charter school relations, by April 1, 2021.