



Board Agenda Item #	IIIC – Discussion Item
Date:	Monday December 10, 2018
To:	MPS Board of Directors- Academic Committee
From:	Alfredo Rubalcava, CEO
Staff Lead:	Erdinc Acar, Chief Academic Officer
RE:	Update on MSA-SA Renewal Process

Proposed Board Recommendation

None; Information Only

Background

Overview of the District Petition Timeline

- MSA-Santa Ana submitted its charter renewal petition on August 2, 2018 to the District, seeking to renew its charter for a five-year term. The District Board acknowledged receipt of the petition 26 days later, on August 28, 2018.
- On September 25, 2018, the District Board held a public hearing for the MSA-Santa Ana charter renewal petition.
- On October 9, 2018, the District Board denied the MSA-Santa Ana charter renewal petition and adopted the District’s Findings of Fact supporting the denial.
- On November 19, 2018, in accordance with Education Code Section 47605(k)(3), as MSA-Santa Ana was granted a charter through an appeal to the SBE, MSA-Santa Ana submitted its renewal petition to the SBE upon denial by the District Board.

Next steps in the renewal includes review of the petition and supporting documents by the California Department of Education Charter Schools Division, recommendation to the Advisory Commission on Charter Schools and subsequent decision on the next State Board of Education meeting. Meeting dates are outlined as below.

2019 Meeting Dates for Advisory Commission on Charter Schools (ACCS)

Tuesday, February 5, 2019,

Wednesday, April 10, 2019

Tuesday, June 4, 2019

2019 Meeting Dates for State Board of Education (SBE)

January 9-10, 2019

March 13-14, 2019

May 8-9, 2019

July 10-11, 2019

Budget Implication

None Applicable

Funding Source

None Applicable

How Does This Action Relate/Affect/Benefit All MSAs?

None Applicable

Name of Staff Originator:

Erdinc Acar, Chief Academic Officer

Attachments

Cover letter to CDE re: Santa Ana Charter Renewal Petition



November 19, 2018

Via Hand Delivery

Lisa Constancio, Director
Charter Schools Division
California Department of Education
1430 N Street, Suite 5401
Sacramento, CA 95814

RE: Charter Renewal Petition Appeal to the State Board of Education for Magnolia Science Academy – Santa Ana Charter Renewal Petition

Dear Director Constancio,

This letter is to inform you that Magnolia Science Academy – Santa Ana (“MSA-Santa Ana” or the “Charter School”) (operated by Magnolia Public Schools) hereby appeals the denial of MSA-Santa Ana’s charter renewal petition by the Santa Ana Unified School District (“SAUSD” or the “District”) to the State Board of Education (“SBE”), as provided for in Education Code Section 47605(k)(3) and Title 5, California Code of Regulations Section 11966.6(a).

Overview of the District Petition Timeline

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- On September 25, 2018, the District Board held a public hearing for the MSA-Santa Ana charter renewal petition.
- On October 9, 2018, the District Board denied the MSA-Santa Ana charter renewal petition and adopted the District’s Findings of Fact supporting the denial.

In accordance with Education Code Section 47605(k)(3), as MSA-Santa Ana was granted a charter through an appeal to the SBE, MSA-Santa Ana is submitting its renewal petition to the SBE upon denial by the District Board.

Contents of Appeal Submission

Title 5, California Code of Regulations Section 11966.6(b) requires that a charter school whose renewal petition has been denied and that wishes to appeal its petition to the State Board of Education must send specific information, which is included herein.

This submission includes the following documents:

1. A complete copy of the original petition submission as denied by the District. Attached under Binder Tab 1, please find:
 - a. A copy of the charter petition. The charter renewal petition (Tab 1) and the description of any changes to the petition necessary (Tab 3) together provide a reasonably comprehensive description of how MSA-Santa Ana has met all new charter school requirements enacted into law after the charter was originally granted or last renewed.
 - b. A copy of all appendices submitted with the charter petition to the District.
 - c. A copy of letters in support of MSA-Santa Ana’s renewal petition, submitted with the charter petition to the District.

2. A copy of the District Board’s written factual findings denying the petition for renewal. Attached under Binder Tab 2, please find:
 - a. A copy of the signed Resolution of the Governing Board of the Santa Ana Unified School District Denying the Renewal Petition for MSA-Santa Ana, and the Findings of Fact in Support of Denial of the Renewal Charter Petition.
 - b. MSA-Santa Ana Response to District Findings for Denial of Charter Petition.

3. A description of any changes to the petition necessary to reflect the SBE as the chartering entity, as applicable. (Attached under Binder Tab 3.)

Response to District Findings

MSA-Santa Ana has prepared a detailed response to the District’s findings of fact in support of denial of the renewal petition, attached under Tab 2. As discussed therein, the District’s findings do not meet the legal standard for denial of a charter renewal petition. Many of the findings are based on incorrect facts, misrepresentations of the contents of the charter petition, or go beyond the requirements set forth in law; therefore, the findings constitute an impermissible basis for denial of the renewal petition.

The charter petition meets or exceeds the legal requirements for a reasonably comprehensive description of all 15 required elements under Education Code Section 47605(b), as well as the additional State Board of Education regulatory guidance under Title 5, California Code of Regulations, Section 11967.5.1; and the charter presents a sound educational program. Please review the detailed response to District findings under Tab 2.

Implementation of all Charter Elements

During our current charter term, MSA-Santa Ana has complied with all applicable legal requirements, including operating with fidelity to all of the legally required charter elements in accordance with our charter petition. MSA-Santa Ana has updated the renewal petition to comply with new legal updates, and shall continue to comply with all applicable legal requirements in a manner consistent with our charter petition.

Charter Renewal Criteria Met

As outlined in detail in the attached charter renewal petition (Tab 1), MSA-Santa Ana meets the charter renewal criteria under Education Code Section 47607(b)(4) as its academic performance is at least equal to the academic performance of the public schools that MSA-Santa Ana students

would otherwise have been required to attend, and the academic performance of the demographically similar schools in the District. In addition, we have also identified alternative measures of academic performance in our charter renewal petition to demonstrate support for our students' academic achievement during our current charter term.

Academic Achievements

With a 100% graduation rate and over 89% A-G requirement completion rates, our students continue performing higher than many of the comparable schools and SAUSD in the Smarter Balanced Assessment Consortium ("SBAC") tests, as highlighted in our renewal petition.

It should be noted that MSA-Santa Ana constructed a new facility and moved to its new location at 2840 W 1st Street in the City of Santa Ana in Orange County in the 2016-17 school year. We are extremely proud of this accomplishment, as facilities continue to be one of the greatest challenges facing charter schools statewide. In its new location, MSA-Santa Ana added the elementary grade span, TK-5, to its program. The relocation and a significant expansion from 144 students in grades 6-12 to 639 in grades TK-12 resulted in the Charter School attracting more, and a higher percentage of, students with greater needs. As a result of this relocation and significant expansion, MSA-Santa Ana's student demographics changed considerably during the current charter term. In 2015-16, more than 500 new students enrolled at the Charter School. In 2015-16, MSA-Santa Ana served a total of 144 students in grades 6-12 with 13% of students categorized as English Learners ("EL") and 60% of students eligible for Free or Reduced-Priced Meals ("FRPM"). The next year, 2016-17, the Charter School's enrollment increased to 639 students in grades TK-12 with 35% ELs and 79.5% eligible for FRPM.

MSA-Santa Ana has historically outperformed SAUSD averages in the English Language Arts ("ELA") section of the SBAC. Our students' proficiency rates jumped from 53% of students meeting or exceeding standards in 2015 to 73% of students meeting or exceeding standards in 2016, which was well above SAUSD and state averages. Even with a significant change in its demographics in 2017, 47.14% of MSA-Santa Ana students met or exceeded standards in the ELA section of the SBAC tests.

Additionally, MSA-Santa Ana students outperformed their peers in SAUSD in the Math section of the SBAC tests. MSA-Santa Ana increased its 2015 SBAC proficiency rates from 38% of students meeting or exceeding standards in 2015 to 46% of students meeting or exceeding standards in 2016. In 2017, after the demographic shift in student population, the percentage of MSA-SA students meeting or exceeding the standards was 32.50%, higher than SAUSD's rate of 22.41%.

Because MSA-Santa Ana has a particularly large EL population (33.6%), the Charter School focuses heavily on the reclassification of English Learners, including support for Long-Term English Learners ("LTELs"). In 2016-17, even though most of our ELs were in their first year at the Charter School, MSA-Santa Ana reclassified 50% of ELs, which was a rate higher than or at least equivalent to all of our comparison schools. In 2017-2018, MSA-Santa Ana reclassified 28.10% of our ELs; again, well above typical reclassification rates at most of the comparison schools. Even with these high reclassification rates, our EL population outperforms SAUSD students both in ELA and Math sections of the SBAC assessments.

MSA-Santa Ana is also proud of its full inclusion special education program serving more than 100 students, or 15% of our student population.

Our students with disabilities continued performing far better than their peers in the SAUSD both in ELA and Math of the 2018 SBAC tests. On average, 20.59% of MSA-Santa Ana students in grades 7 and 8 (the only numerically significant groups) met or exceeded the ELA standards compared to 5.23% in SAUSD, while in average 11.27% of MSA-SA's students met or exceeded the Math standards as compared to 4.76% in SAUSD.

In addition to academic gains as measured by state tests, MSA-Santa Ana accomplished many other achievements during the current charter term, as outlined below:

- 2016 Title I School Achievement Award
- 2016 California Business for Education Excellence (“CBEE”) Honor Roll Science, Technology, Engineering and Mathematics (“STEM”) Designation in Math and Science
- A 2017 4-year cohort graduation rate of 100%, with 89% of graduates meeting A-G requirements for admission to the University of California/California State University (UC/CSU) system. This compares to SAUSD’s District-wide graduation rate of 89% and A-G completion rate of 47% in 2017. In 2016, 70% of our graduates were admitted to four-year colleges and universities, with 12 acceptances to schools ranked in the top 50 in the nation.
- California Scale-Up Multi-Tiered System of Supports Cohort 3 Grant Award recipient
- MSA-Santa Ana middle school Robotics Team represented our Charter School successfully in the local LEGO League qualifying event.
- Moved to a new location. Finished \$4-million gymnasium, cafeteria, and play area project.
- MSA-Santa Ana students earned silver and bronze certificate from U.S. Congressional Award, which takes into consideration voluntary public service, personal development, physical fitness, and expedition/exploration.
- First student accepted to UC Berkeley
- National History Bee finalist
- Academic Pentathlon and Decathlon teams earned several medals in the Orange County chapter.
- Increased enrollment to 740 students. Added TK-5 programs.
- Attended the Magnolia Public Schools Science, Technology, Engineering, Arts and Mathematics (“STEAM”) EXPO with over 20 projects.
- Established partnerships with UC Irvine BEALL Center and Mount Wilson Observatory.
- Student projects selected for the rocket mission at NASA Wallops Flight Facility.
- Two high students accepted to the U.S. Naval Academy summer STEM program with full scholarships.
- Students received several places in the Orange County Science and Engineering Fair, including one middle school student who placed second.

Conclusion

The Santa Ana Unified School District Board denied the MSA-Santa Ana charter renewal petition on October 9, 2018. We are therefore submitting this appeal of a petition for renewal to

the SBE, pursuant to Title 5, California Code of Regulations Section 11966.6(a), for the SBE's decision to grant or deny the petition for renewal, pursuant to Section 11966.6(c)(1)-(2).

By signing below, I confirm that I wish to submit this petition for appeal to the State Board of Education and certify that MSA-Santa Ana, as petitioners, will comply with all laws applicable to charter schools in California. We look forward to working with the SBE and the California Department of Education during consideration of the charter petition. Please feel free to contact me via email (arubalcava@magnoliapublicschools.org) or phone ((213) 628-3634) if you have any questions.

Sincerely,

Alfredo Rubalcava
CEO & Superintendent
Magnolia Public Schools