California Department of Education

Charter Schools Division

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**ADVISORY COMMISSION ON CHARTER SCHOOLS**

AN ADVISORY BODY TO THE STATE BOARD OF EDUCATION

# April 2021 AgendaItem #04

## Subject

Petition for the Renewal of a Charter School Under the Oversight of the Local Educational Agency Designated by the State Board of Education Pursuant to California *Education Code* Section 47605.9(b): Consideration of Prepa Tec Los Angeles High, which was denied by the Los Angeles Unified School District.

## Type of Action

Action, Information

## Summary of the Issue

Prepa Tec Los Angeles High (PTLAH) is seeking a renewal of its charter from the State Board of Education (SBE).

On December 12, 2020, the Los Angeles Unified School District (LAUSD) denied the PTLAH petition by a vote of five to zero.

The petitioner submitted the PTLAH petition on appeal to the SBE on January 8, 2021.

## Proposed Recommendation

The California Department of Education (CDE) proposes to recommend that the SBE hold a public hearing to deny the request to renew PTLAH, a grade nine through grade twelve charter school, based on the CDE’s findings pursuant to California *Education Code* (*EC*)sections 47605, 47605.9, 47607(e), 47607.2(b), and *California Code of Regulations*, Title 5 Section 11967.5.

## Brief **History**

PTLAH currently serves 370 pupils in grade nine through grade twelve at a private leased facility located at 4210 Gage Avenue, Bell, California. The petition states that PTLAH plans to enroll 380 pupils by school year (SY) 2024–25 (Attachment 4).

PTLAH’s mission is to provide a world-class education to every student through an inquiry and investigation school model that will prepare students to meet the challenges of a global 21st century (Attachment 3, p. 119).

### International Baccalaureate Programme

PTLAH is an authorized public International Baccalaureate (IB) Diploma Programme school in the LAUSD, which affords pupils the opportunity and access to a small, rigorous high school, in their own neighborhood (Attachment 3, p. 10).

The 2019–20 school year was the first year eleventh graders participated in the two-year IB Diploma Programme. At the end of the 2020–21 school year, PTLAH will have their first group of pupils eligible to receive the IB diploma (Attachment 3, p. 28).

As part of the authorization from the International Baccalaureate Organization, each IB World School is regularly evaluated to ensure that the standards and practices of its IB programme(s) are being maintained. Evaluation takes place at least once every five years. As part of the process, PTLAH engages in a self-study that is a key element in the school’s continual improvement (Attachment 3, p. 211).

## Renewal Criteria

Assembly Bill 1505 (Statutes of 2019) amended *EC* Section 47607, and added *EC* Section 47607.2, which changed the criteria for charter renewal. Based on these new legislative changes, two criteria are used to determine the performance category (i.e., high, middle, or low) of a charter school. The California School Dashboard measures performance for state indicators through a combination of current performance and improvement over time, which both provide equal weight. A performance level (color) is assigned based on the current performance and improvement over time. Color levels on the California School Dashboard range from Red, Orange, Yellow, Green, and Blue, with Blue representing highest performance and Red representing lowest performance.

The modifications made to the charter school renewal process by AB 1505 include a presumption for renewal for high performing charters, a presumption for nonrenewal for low performing charters, and a standard for those charters who fall in between. Two criteria determine the performance category of a charter school: Criterion 1 is based on the colors received by the school for all state indicators on the California School Dashboard. Criterion 2 is based on the performance levels schoolwide and majority of subgroups as compared to the state average for all academic indicators with a color for the two previous California School Dashboard years.

Based on the aforementioned criteria, the CDE has designated PTLAH as middle performing (<https://www.cde.ca.gov/sp/ch/documents/ab1505results2020.xlsx>). A middle performing charter school qualifies for a five-year renewal term. Pursuant to *EC* Section 47607.2(b)(2), the chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant renewal of a charter school designated as middle performing. Measurements of academic performance include the test-based indicators for English language arts (ELA) and mathematics (math), the English Language Progress Indicator (ELPI), and the College and Career Indicator (CCI).

A chartering authority may deny renewal of a charter school in the middle tier only upon making a specific written finding that the school has failed to make sufficient progress toward meeting standards that provide a benefit to the school’s pupils, that closure of the school is in the pupils’ best interests, and that the decision provided greater weight to performance on measurements of academic performance—the test-based indicators in ELA, math, ELPI, and CCI, pursuant to *EC* Section 47607.2(b)(3).

### Verifiable Data

#### CDE’s Consideration of Performance Criteria

The CDE was unable to determine if PTLAH met the applicable academic renewal criteria pursuant to *EC* Section 47607(b) based on California Assessment of Student Performance and Progress (CAASPP) scores as the charter school only has one year of data and does not report any colors on the California School Dashboard as of yet. The lack of data is due to the fact that PTLAH opened in school year (SY) 2016–17 with ninth-grade pupils. Since SY 2016–17, PTLAH has added a grade level each year. As CAASPP is administered to eleventh-grade pupils, PTLAH has CAASPP data for only SY 2018–19. CAASPP was not administered for SY 2019–20 due to the COVID-19 Pandemic school closures.

##### 2018–19 CAASPP Results for PTLAH (Percent Met or Exceeded Standards)

| Entity | ELA | Math |
| --- | --- | --- |
| PTLAH | 25 | 3 |

#### PTLAH’s Consideration of Performance Criteria

The petitioner was not able complete CAASPP data comparison analyses for PTLAH and LAUSD-comparable schools due to the fact that PTLAH has only one year of CAASPP data.

#### LAUSD’s Consideration of Performance Criteria

LAUSD was not able to review the California School Dashboard for PTLAH for ELA, math, and College and Career Readiness due to the fact that PTLAH has only one year of CAASPP data.

### Verified Data

*EC* Section 47607.2(b)(3) provides, in addition to the state and local indicators, the chartering authority shall consider clear and convincing evidence showing either of the following:

1. The school achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school;
2. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

The SBE, at its November 2020 meeting, approved the criteria to define verified data, and the list of valid and reliable assessments and measures of postsecondary outcomes. Information regarding verified data criteria, data use procedures, adopted assessments, and postsecondary indicators is available on the CDE Verified Data web page at <https://www.cde.ca.gov/sp/ch/verifdata.asp>.

Pursuant to *EC* Section 47607.2(c)(1), verified data is defined as follows: “data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced. Verified data shall include measures of postsecondary outcomes.”

#### CDE’s Consideration of Verified Data

The CDE reviewed the following verified data that the petitioner included as criteria for charter renewal:

* California School Dashboard data for ELA, math, suspension rates, and ELPI
* Northwest Education Association (NWEA) Measurable Academic Progress (MAP) Data

Upon the its review of the aforementioned data, the CDE notes that PTLAH only has one year of CAASPP results (i.e., SY 2018–19), which show that of the pupils assessed, 25 percent met or exceeded standards in ELA and 3 percent met or exceeded standards in math. Without additional data, the CDE is unable to derive, what, if any, growth occurred.

The CDE also notes that the NWEA MAP data provided by the petitioner show an overall growth for all pupils and English learners in both ELA and math for SY 2016–17 through SY 2019–20. For socioeconomically disadvantaged pupils, the NWEA data MAP data show an overall decline in ELA and overall growth in math across the four school years. The data show minimal growth for special education pupils in ELA and math across this same time period.

Below is a detailed description of the CDE’s review of the verified data.

##### California School Dashboard Data

The 2019 California School Dashboard reflects PTLAH’s performance under California’s accountability system as follows: ELA, 65.7 points below standard (No Color); math, 169.8 points below standard (No Color); and suspension rate, 1.5 percent suspended at least once (Blue).

Regarding chronic absenteeism rate, the California School Dashboard shows no data for PTLAH. PTLAH did not have a graduating class until 2020; therefore, the California School Dashboard does not show graduation rates.

###### PTLAH Suspension Rates

| 2017 Suspension Rate | 2018 Suspension Rate | 2019 Suspension Rate |
| --- | --- | --- |
| No Data, No Data | Red, 6.5 percent suspended at least once | Blue, 1.5 percent suspended at least once |

The California School Dashboard data show that the PTLAH suspension rate improved from 6.5 percent (Red) to 1.5 percent (Blue) from 2018 to 2019.



Full text is available in the [Descriptive Image Alternative Text](#_Descriptive_Image_Alternative) section.

###### English Learner Progress Indicator

The 2019 California School Dashboard was the first year the ELPI was reported. The ELPI is calculated based on a student’s performance on the English Language Proficiency Assessments for California (ELPAC). Schools received Status results only on the 2019 California School Dashboard.

The data for the 2019 ELPI show that 43 percent of PTLAH English learner pupils are making progress toward English language proficiency.

##### NWEA MAP Data

###### ELA and Reading Data

The following table shows the percentage of pupils that met or exceeded standards on the 2016–17 through 2019–20 NWEA MAP Growth for PTLAH by pupil group for ELA.

An asterisk (\*) indicates that less than 10 pupils were assessed. In cases where less than 10 pupils were assessed, the data have been suppressed in order to protect pupil privacy.

Winter to Winter NWEA ELA 4-Year Comparison, Class of 2020 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2016–17 | 210.7 | 215.8 | 188.2 | 188.4 |
| 2017–18 | 215.8 | 215.7 | 199.1 | 201.1 |
| 2018–19 | 216.2 | 199.1 | \* | 202.0 |
| 2019–20 | 216.9 | 201.1 | \* | 205.8 |

The data show an increase in scores for all pupils and English learners. There was an increase in scores for pupils with disabilities from SY 2016–17 to SY 2017–18. However, there was a decrease in scores for socioeconomically disadvantaged pupils in SY 2018–19.

Fall to Fall NWEA ELA 3-Year Comparison, Class of 2021 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2017–18 | 208.2 | 212.0 | 206.0 | 191.3 |
| 2018–19 | 208.2 | 211.6 | 203.3 | 195.6 |
| 2019–20 | 206.0 | 203.3 | 208.0 | 203.8 |

The data show an increase in scores for pupils with disabilities and English learners from SY 2017­­–18 to SY 2019–20. There was a decrease in scores for all pupils and for socioeconomically disadvantaged pupils over the course of SY 2017–18 through SY 2019–20.

Winter to Winter NWEA ELA 2-Year Comparison, Class of 2022 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2018–19 | 208.2 | 209.6 | \* | 194.9 |
| 2019–20 | 211.9 | 212.7 | \* | 193.0 |

The data show an increase in scores for all pupils and socioeconomically disadvantaged pupils from SY 2018–19 to SY 2019–20. English learners showed a slight decrease in scores. No data was available for pupils with disabilities for these years.

RIT Growth

One measurement tool for the NWEA assessments uses the RIT (Rasch unit) model scale to measure and compare academic growth. Specifically, the scale measures levels in academic difficulty. The RIT scale extends equally across all grades, making it possible to compare a student's score at various points throughout his or her education.

For example, a student who grows from 165 to 170 shows the same amount of instructional growth as a student who improves from 280 to 285—5 RIT points of growth. Because the RIT score is consistent, it can be used to accurately measure a student’s growth over a period of time.

In addition, a RIT score of 3 in two sequential years means a pupil grew 3 RIT points and then an additional 3 RIT points the following year. It is akin to measuring a child’s height annually.

The National Percentile score ranks pupils’ raw scores from highest to lowest and shows where an individual’s raw score falls in comparison.

* 1–4: lowest
* 5–10: low
* 11–22: well below average
* 23–40: slightly below average
* 41–59: average
* 60–77: slightly above average
* 78–89: well above average
* 90–95: high
* 96–99: highest

Fall NWEA Data ELA-Reading, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 3 | 3 | 0 | 3 |
| National Percentile | 39 | 46 | 20 | 90 |

The data show RIT scores of 3 (meaning the pupil academically grew by 3 RIT points). There was no RIT growth for SY 2018–19. There was, however, an increase in the score using the national percentile, from the thirty-ninth percentile to the ninetieth percentile (i.e., PTLAH pupils scored higher than 90 percent of pupils at their grade level across the country).

Winter NWEA Data ELA-Reading, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 0 | 7 | 2 | 2 |
| National Percentile | 1 | 99 | 30 | 80 |

The data show growth in SY 2017–18 with a RIT score of 7, growth of 2 RIT points in SY 2018–19, and growth of 2 RIT points in the following year.

The national percentile ranking shows a span of the first percentile to ninety-ninth percentile from SY 2016–17 to SY 2017–18. The ranking did decline in SY 2018–19 to the thirtieth percentile, and then increased again in SY 2019–20 to the eightieth percentile.

NWEA Reading Data for English Learners, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | \* | 10 | 6 | 3 |
| National Percentile | \* | 99 | 89 | 89 |

The data show an overall decrease in annual growth for English learners, with a RIT score of 10 in SY 2017–18, growth of 6 RIT points in SY 2018–19, and growth of 3 RIT points in SY 2019–20. This illustrates a decrease in the pace of student growth but shows consistency in the national ranking.

NWEA Reading Data for Socioeconomically Disadvantaged Pupils, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 0 | 6 | 2 | 4 |
| National Percentile | 1 | 95 | 36 | 89 |

The data show an increase in growth rate from 0 RIT points in SY 2016–17 to 6 RIT points SY 2017–18, and national ranking of 1 in 2016-17, to the ninety-fifth percentile in 2017-18. The national rank does drop the following year to thirty-sixth percentile but shows a 53-point increase in SY 2019–20.

NWEA Reading Data for Special Education Pupils, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | \* | 11 | \* | \* |
| National Percentile | \* | 99 | \* | \* |

The data show only one year of NWEA MAP data for PTLAH, an 11-point RIT growth score and a percentile score of 99. There was no data available for the other three school years due to the low number of pupils assessed.

###### Math Data

The following tables show the percentage of pupils that met or exceeded standards on the 2016–17 through 2019–20 NWEA MAP Growth for PTLAH by student group for math.

Winter to Winter NWEA Math 4-Year Comparison, Class of 2020 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2016–17 | 215.1 | 216.5 | 200.9 | 197.0 |
| 2017–18 | 219.5 | 220.7 | 202.5 | 204.7 |
| 2018–19 | 221.5 | 222.1 | 206.9 | 210.0 |
| 2019–20 | 219.6 | 220.0 | \* | 209.8 |

The data show an overall increase in scores for all pupils and all subgroups in math from SY 2016–17 to SY 2019–20. There was an increase in scores for pupils with disabilities from SY 2017–18 to SY 2018–19; however, there was no data available for SY 2019–20 due to the low number of pupils assessed.

Fall to Fall NWEA Math 3-Year Comparison, Class of 2021 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2017–18 | 217.7 | 217.4 | 214.9 | 204.3 |
| 2018–19 | 217.2 | 217.2 | 208.4 | 205.0 |
| 2019–20 | 220.4 | 222.9 | 207.9 | 212.4 |

The data show an overall increase in math scores for all pupils, socioeconomically disadvantaged pupils, and English learners from SY 2017–18 to SY 2019–20. Scores for pupils with disabilities decreased overall by seven points from SY 2017–18 through SY 2019–20.

Winter to Winter NWEA Math 2-Year Comparison, Class of 2022 (Test Scores)

| Year | All Pupils  | Socio-economically Disadvantaged | Pupils with Disabilities | English Learners |
| --- | --- | --- | --- | --- |
| 2018–19 | 212.0 | 212.6 | \* | 198.9 |
| 2019–20 | 214.7 | 215.2 | \* | 203.7 |

The data show an increase in math scores for all pupils and subgroups. No data was available for pupils with disabilities.

**Fall NWEA Data Math, Class of 2020**

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 0 | 2 | 3 | -2 |
| National Percentile | 3 | 21 | 77 | 12 |

The data show RIT scores from no growth to a loss of 2 RIT points from SY 2016–17 through SY 2019–20. The national ranking grew from SY 2016–17 to SY 2017–18 by 18 points and by an additional 56 points in SY 2018–19. However, the data show a significant decrease in national percentile of 65 points from SY 2018–19 to SY 2019–20.

Winter NWEA Data Math, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 1 | 5 | 2 | 0 |
| National Percentile | 4 | 98 | 52 | 29 |

The data show RIT scores for all pupils from 1 RIT point in SY 2016–17 to 5 RIT points in SY 2017–18. The scores for SY 2018–19 showed 2 RIT growth points and no growth in SY 2019–20.

The national rank for all pupils in math increased from the fourth percentile in SY 2016–17 to the ninety-eight percentile in SY 2017–18. From SY 2018–19 to SY 2019–20 the national rank scores decreased to the fifty-second percentile and then to twenty-ninth percentile, respectively.

NWEA Math Data for English Learners, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | \* | 7 | 7 | 1 |
| National Percentile | \* | 99 | 99 | 12 |

For English learners, the data show growth of 7 RIT points for SY 2017–18, 7 RIT points for SY 2018–19, and 1 RIT point in SY 2019–20.

NWEA Math Data for Socioeconomically Disadvantaged Pupils, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | 3 | 5 | 1 | 1 |
| National Percentile | 26 | 96 | 23 | 50 |

The data show socioeconomically disadvantaged student’s growth of 3 RIT points in SY 2016–17, 5 RIT points in SY 2017–18, 1 RIT point in SY 2018–19, and an additional 1 RIT point in SY 2019–20.

NWEA Math Data for Special Education Pupils, Class of 2020

| Year | 2016–17Grade 9 | 2017–18Grade 10 | 2018–19Grade 11 | 2019–20Grade 12 |
| --- | --- | --- | --- | --- |
| RIT Growth | \* | 5 | \* | \* |
| National Percentile | \* | 97 | \* | \* |

The data show growth of 5 RIT points and a national rank of 97 for special education pupils for SY 2017–18.

###### English Learner Progress Indicator

The ELPI measures the growth of English learners and is broken down by the number of levels (1–4) of student progression toward English proficiency: progressed at least one level; maintained standing in level 4 (not eligible for reclassification); maintained level 1, 2 low, 2 high, 3 low, or 3 high (made no growth); and declined by a level.

ELPAC Results (Percentages)

| ELPI Level | PTLAH |
| --- | --- |
| Progressed at Least One ELPI Level | 38.0 |
| Maintained ELPI Level 4 | 4.7 |
| Maintained ELPI Levels 1, 2L, 2H, 3L, 3H | 33.3 |
| Decreased at Least One ELPI Level | 23.8 |

The data show that 38 percent of English learner pupils made at least one level of growth; 4.7 percent maintained their standing in level 4; 33.3 percent maintained level 1, 2 low, 2 high, 3 low or 3 high; and 23.8 percent declined by at least one level.

###### At-Risk Long-Term English Learners

At-Risk-Long-Term English Learner is a measurement of how long a pupil has been an English learner:

* Zero to three years
* Four to five years; at risk of being a long-term English learner (LTEL)
* Six or more years; LTEL

Data for pupils who are at their fourth year as an English learner (EL) but are not at risk of becoming an LTEL, as well as reclassified fluent English proficient (RFEP) pupils, and pupils who have ever been an English learner are also included in the below table.

At-Risk Long-Term English Learners 2017–18 (Number of Pupils)

| Grade | EL0–3 Years | At-Risk4–5 Years | LTEL6+ Years | EL 4+ Years Not At-Risk or LTEL | ELTotal | RFEP |
| --- | --- | --- | --- | --- | --- | --- |
| Ninth | 7 | 1 | 9 | 11 | 28 | 58 |
| Tenth | 5 | 1 | 19 | 2 | 27 | 57 |

In SY 2017–18, there were 28 English learners at PTLAH in ninth grade: 7 were in their first three years as an English learner; 1 was at risk of becoming an LTEL; 9 were considered LTELs; and 11 were not at risk or LTEL. Fifty-eight pupils had been reclassified.

In SY 2017–18, there were 27 English learners at PTLAH in tenth grade: 5 were in their first three years as an English learner; 1 was at risk of becoming an LTEL; 19 were considered LTELs; and 2 were not at risk of becoming an LTEL. Fifty-seven pupils had been reclassified.

At-Risk Long-Term English Learners 2018–19 (Number of Pupils)

| Grade | EL0–3 Years | At-Risk4–5 Years | LTEL6+ Years | EL 4+ Years Not At-Risk or LTEL | ELTotal | RFEP |
| --- | --- | --- | --- | --- | --- | --- |
| Ninth | 6 | 1 | 14 | 0 | 21 | 39 |
| Tenth | 9 | 0 | 25 | 0 | 34 | 49 |
| Eleventh | 11 | 3 | 1 | 0 | 24 | 55 |

At-Risk Long-Term English Learners 2019–20 (Number of Pupils)

| Grade | EL0–3 Years | At-Risk4–5 Years | LTEL6+ Years | EL 4+ Years Not At-Risk or LTEL | ELTotal | RFEP |
| --- | --- | --- | --- | --- | --- | --- |
| Ninth | 2 | 1 | 13 | 7 | 23 | 44 |
| Tenth | 3 | 0 | 8 | 3 | 14 | 35 |
| Eleventh | 4 | 1 | 10 | 12 | 27 | 52 |
| Twelfth | 2 | 2 | 14 | 2 | 20 | 43 |

Overall the at-risk to become an LTEL is low. This shows that over SY 2018–19 through SY 2019–20, there was significant growth in the pupils who were classified as English learner and not at-risk of becoming an LTEL.

PTLAH Reclassification for 2017–18

| Enrollment | ELs | Fluent English-Proficient Pupils | RFEP Pupils |
| --- | --- | --- | --- |
| 224 | 55 (24.6%) | 128 (57.1%) | 3 (12.0%) |

The data above show that out of the 55 (24.6 percent) English learner pupils, three (12 percent) were reclassified in SY 2017–18.

The CDE concludes that the verified data, overall, shows modest growth for PTLAH pupils. These types of assessments are used to gauge student learning, drill down to individual pupil needs, and target interventions for success.

##### Post-Secondary Outcomes

*EC* Section 47607.2(b)(3)(B) defines post-secondary outcomes as follows: college enrollment, persistence, and completion rates equal to similar peers.

However, as PTLAH graduated its first class in 2020, the school has no post-secondary data available on the California School Dashboard.

#### LAUSD’s Consideration of Verified Data

The LAUSD reviewed the following verified data that the petitioner included as criteria for charter renewal:

* California School Dashboard data for ELA, math, suspension rates, and ELPI
* NWEA MAP data

## Inability to Implement

*EC* Section 47607(e) provides the following:

Notwithstanding subdivision (c) and subdivisions (a) and (b) of Section 47607.2, the chartering authority may deny renewal of a charter school upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors, or is not serving all pupils who wish to attend, as documented pursuant to subdivision (d). The chartering authority may deny renewal of a charter school under this subdivision only after it has provided at least 30 days' notice to the charter school of the alleged violation and provided the charter school with a reasonable opportunity to cure the violation, including a corrective action plan proposed by the charter school. The chartering authority may deny renewal only by making either of the following findings:

(1) The corrective action proposed by the charter school has been unsuccessful.

(2) The violations are sufficiently severe and pervasive as to render a corrective action plan unviable.

### Fiscal Analysis

The PTLAH multi-year projected budget includes the following projected pupil enrollment (Attachment 4):

* 370 grade nine through twelve in 2021–22
* 380 grade nine through twelve in 2022–23
* 380 grade nine through twelve in 2023–24
* 380 grade nine through twelve in 2024–25

The updated PTLAH budget did not include enrollment for FY 2025–26.

PTLAH has been considered to be in poor financial condition since its inception in fiscal year (FY) 2016–17. The CDE has sent four letters of fiscal concern to PTLAH (on September 19, 2017; July 5, 2018; June 14, 2019; and August 18, 2020) in regards to declining pupil enrollment, no reserves, and negative ending fund balances on preliminary budget reports and interim reports. The most recent letter of fiscal concern, which was sent on August 18, 2020, was in regards to a negative ending balance of $416,573 and zero percent in reserves in its FY 2021–21 preliminary budget report.

The FY 2020–21 second interim report includes a positive ending fund balance of $85,336 and 1.47 percent in reserves after Paycheck Protection Program (PPP) loan forgiveness of $407,784. The CDE notes that a reserve of 1.47 percent is below the required 5 percent that the school is to maintain pursuant to their Memorandum of Understanding (MOU) with the SBE. Without the PPP loan, PTLAH has a negative ending fund balance of $322,448 and a zero percent in reserves.

The CDE also notes that as of January 31, 2021, PTLAH’s net assets were negative $770,577. Although, PTLAH’s cash flow statement reflects a positive ending cash balance each month in FY 2020–21 through 2023–24, PTLAH relies heavily on short-term financing of $1,601,852 in January 2021 and interorganizational borrowing of $599,532 in July 2020 through November 2020 to cover cash shortage.

#### Letters of Fiscal Concern

It is noted that over the course of its oversight, the SBE has issued five letters to PTLAH outlining the following fiscal concerns:

* **September 19, 2017:** The CDE sent a letter regarding the school’s declining pupil enrollment, no reserves, negative ending fund balance, and increasing negative net assets in its FY 2016–17 second interim report.

PTLAH submitted a material revision that included a revised multi-year financial plan with changes to projected enrollment, reduced revenue and expenditure, positive ending fund balance, and a projected reserve of 7 percent. The material revision was approved by the SBE in September 2017.

The CDE determined PTLAH’s response to be sufficient at the time of submission.

* **July 5, 2018:** The CDE sent a letter regarding the school’s negative ending fund balance and no reserves in its FY 2017–18 second interim report.

PTLAH submitted an FCAP with a budget adjustment of $380,000 for FY 2017–18, due to consolidating high school operations on one campus and eliminating office and support staff positions. PTLAH also had a budget adjustment of $420,000 by reducing teaching staff from eight to six per each grade level.

The CDE determined PTLAH’s response to be sufficient at the time of submission.

* **June 14, 2019:** The CDE sent a letter regarding the school’s negative ending fund balance and no reserves in its FY 2018–19 second interim report.

PTLAH submitted an FCAP with an updated budget that reflected an operative surplus of $683,411 in FY 2018–19 but with a negative ending fund balance of $196,224. PTLAH was expecting a positive ending fund balance of $108,793 in FY 2019–20 based on an enrollment projection of 368 pupils with the addition of grade twelve.

The CDE determined PTLAH’s response to be sufficient at the time of submission.

* **August 18, 2020:** The CDE sent a letter regarding the school’s negative ending fund balance and no reserves in its FY 2020–21 preliminary budget report.

PTLAH submitted a Fiscal Corrective Action Plan (FCAP) with an updated budget that reflected an operating surplus of $100,238 in FY 2020–21 However, the FCAP still showed a negative ending fund balance of $385,480. If PTLAH includes a forgiven PPP loan of $400,000, PTLAH’s ending fund balance will be increased to $14,520 with reserves of 0.23 percent, which is below the required 5 percent it must maintain per its Memorandum of Understanding with the SBE. PTLAH is projecting an increase in enrollment in FY 2021–22 after the new middle school facility is completed.

The CDE determined PTLAH’s response to be sufficient at the time of submission.

Although PTLAH has responded to all letters of concern from the CDE, the CDE notes that PTLAH has remained in poor financial condition throughout the term of its current charter.

#### 30-Day Notice

Pursuant to *EC* Section 47607(e), on March 5, 2021, the CDE provided notice to PTLAH of its finding that PTLAH is demonstrably unlikely to successfully implement the program set forth in its petition due to the following substantial fiscal factors (Attachment 9):

* PTLAH reported a zero percent reserve for FY 2020–21. Per PTLAH’s MOU with the SBE, PTLAH is to maintain a reserve of 5 percent.
* PTLAH reported a negative ending fund balance of $274,012 in the FY 2020–21 first interim report. The CDE notes that a negative ending fund balance could jeopardize PTLAH’s financial sustainability since liabilities cannot be covered even if all of PTLAH’s assets were liquidated.
* As of October 31, 2020, PTLAH’s net assets are negative $952,241. The PTLAH debt ratio is 2.34, which means that PTLAH’s total liabilities are approximately two times the value of its total assets. Furthermore, PTLAH’s working capital ratio would drop to 0.18, which means PTLAH has no current assets to cover its current liabilities.

The CDE provided PTLAH with an opportunity to cure as well as corrective actions with a deadline to submit by April 5, 2021. The CDE requested the following information be submitted:

* A Board-approved FCAP that addresses each of the noted observations with specific explanations, actions, and timeframes for improving PTLAH’s financial condition
* The PTLAH Board agenda with an action item for approval of the FCAP, submitted 72 hours in advance of the associated meeting
* The PTLAH Board-approved minutes, submitted within 30 days of the associated meeting

##### PTLAH’s Response to 30-Day Notice

On April 2, 2021, PTLAH provided a complete response to the CDE’s 30-day notice; all documentation requested by the CDE was provided. The FCAP provided by PTLAH contained three main plans to address the negative ending fund balances: 1) applying for Payroll Protection Program loan of $470,784; 2) applying for COVID-19 relief funding of $1.47 million; and 3) increasing student enrollment. Additionally, PTLAH noted that it expects to increase its reserve to 5 percent by FY 2021–22.

##### CDE’s Analysis of PTLAH’s Response

The CDE has reviewed all information submitted by PTLAH in response to the 30-day notice. The CDE acknowledges that PTLAH has tried improving its fiscal condition and that its updated multi-year financial plan reflects a projected positive ending balance of $165,361 for FY 2020–21 with a reserve of 2.9 percent; however, PTLAH’s reserve fails to meet the required 5 percent outlined in its MOU with the SBE. PTLAH has not maintained 5 percent in reserves since its inception in SY 2016–17.

In addition, PTLAH relies heavily on a short-term financing of $646,000 in FY 2020–21 to cover a cash shortage. Regarding repayment of the short-term financing, it appears that PTLAH may incur a high financing cost with factoring, adding an additional negative effect to their budget.

The CDE concludes that PTLAH did not provide a corrective action plan that will be successful in curing the violations noted in CDE’s March 5, 2021, letter. PTLAH does not appear to be fiscally viable for FY 2021–22 through 2023–24.

## Los Angeles Unified School District Findings

On December 12, 2020, LAUSD took action and denied the renewal charter petition for PTLAH based on the following findings:

Criterion 1:

* 1. The renewal charter presents an unsound educational program for the pupils to be enrolled in the charter school, per *EC* Section 47605(c)(1).
	2. Alta Public Schools is demonstrably unlikely to successfully implement the program set forth in the charter for PTLAH, per *EC* Section 47605(c)(2).
	3. The petition, does not contain reasonably comprehensive descriptions of all required elements, including the Federal, State, and District Required Language.
	4. The petition does not contain required affirmations, assurances, and declarations.

Criterion 2:

* 1. Charter School does not meet academic criteria based on performance indicators as a middle performing school.

Criterion 3:

* 1. Charter School is demonstrably unlikely to successfully implement the program set forth in the renewal petition due to substantial fiscal and governance factors.
	2. Charter School is not serving all pupils who wish to attend based on data on pupil enrollment patterns.

The CDE notes these concerns of the district, which were detailed in the LAUSD staff report and the Notice of Violation that the district sent to PTLAH on October 15, 2020 (Attachment 7).

However, LAUSD did not make a finding nor determine that nonrenewal and closure of the charter school is in the best interest of its pupils (Attachment 7). The LAUSD staff report recommended that the renewal of the PTLAH petition be approved with conditions (Attachment 7).

## Charter Elements

The CDE finds that the PTLAH petition is inconsistent with sound educational practice. Additionally, the CDE finds that the PTLAH petition does not provide a reasonably comprehensive description of the following required charter elements: Element A—Educational Program and Element D—Governance Structure; (Attachment 1, p. 2).

While the PTLAH petition does provide, overall, a reasonably comprehensive description of Element J—Suspension and Expulsion Procedures, Element N—Dispute Resolution Procedures, and Effect on Authorizer and Financial Projections, the CDE notes areas where these elements could be strengthened and made more specific.

### Inconsistent with Sound Educational Practice

The petitioner does not meet the renewal criteria and does not present a sound educational program. While the majority of the educational program is sound, the CDE finds that the lack of an English learner curriculum is problematic and does not align with a complete educational program. Additionally, as the PTLAH petition does not include reasonable descriptions of all charter elements, the CDE finds that the PTLAH petition is not entirely consistent with sound educational practice.

### Element A–Educational Program

Regarding the English Language Development (ELD) curriculum, the PTLAH petition states that the school uses the READ 180 program for ELD instruction. READ 180 is an intervention curriculum and is not aligned to the California ELD state standards pursuant to *EC* Section 47605(c)(5)(G). Not providing a curriculum aligned to state standards is problematic as the CDE cannot be assured that students are receiving standards-aligned instruction.

PTLAH is obligated to comply with the standards-aligned curriculum requirements for ELD pursuant to *EC* Section 47605(c)(5)(G).

### Element D–Governance Structure

The PTLAH petition does not present a reasonably comprehensive description of the school’s governance structure, specifically in regards to the Political Reform Act of 1974 (PRA) and *Government Code* (*GC*) Section 1090 (Attachment 3, pp. 262–273 and 389–393).

The PTLAH petition is not specific regarding *GC* Section 1090 nor the PRA. Additionally, the Conflict of Interest Code submitted with the PTLAH petition does not meet the requirements for a charter school pursuant to *EC* Section 47604.1.\ (Attachment 6). The Conflict of Interest Code also has not been properly reviewed and approved by the appropriate code reviewing body.

*EC* Section 47604.1 requires that a charter school comply with both the *GC* Section 1090 and the PRA, which necessitates that PTLAH adopt a conflict of interest code that meets the requirements of the PRA.

### Element J–Suspension and Expulsion Procedures

The PTLAH petition does present, overall, a reasonably comprehensive description of suspension and expulsion procedures for criteria (E). However, the CDE notes that when addressing evaluation criteria (E), the PTLAH petition states the following with regard to due process appeals (Attachment 3, pp. 333 and 348–349):

A parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or Charter School if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings. When an appeal relating to the placement of the pupil or the manifestation determination has been requested by either the parent or Charter School, the pupil shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five-day (45) time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and Charter School agree otherwise.

The PTLAH petition language can be strengthened by incorporating the following requirement pursuant to *EC* Section 47605(c)(5)(J):

When an appeal relating to the placement of a pupil or the manifestation determination has been requested by either the parent or RVC, the pupil shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided in 20 USC Section 1415(k)(1)(C), whichever occurs first, unless the parent and PTLAH agree otherwise.

### Element N–Dispute Resolution Procedures

The PTLAH petition meets the overall requirements for the Element N–Dispute Resolution. The CDE notes that per the request of the district, the petitioner changed the language in this element after submitting the petition to LAUSD in order to reflect LAUSD as the authorizer. While the correct language is encompassed in the element, the policy is not written to reflect the SBE as the authorizer. Pursuant to *EC* Section 47605(c)(5)(N), the petition is required to state the process to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter.

### Effect on Authorizer and Financial Projections

The PTLAH petition does provide the required information and financial projections; however, the CDE notes that the language can be strengthened to specifically state the manner in which administrative services of the school are to be provided (Attachment 3, p. 373 and Attachment 4).

## Conclusion

The CDE finds that the PTLAH petition does not present a sound fiscal plan, nor is it consistent with sound educational practice. Additionally, some of the charter elements do not contain reasonably comprehensive descriptions or are missing specific language. For these reasons, the CDE finds that PTLAH is demonstrably unlikely to successfully implement the program set forth in the petition. The CDE thus proposes to recommend that the SBE deny the request to renew the PTLAH petition.

A detailed analysis of the CDE’s review of the entire PTLAH petition is provided in Attachment 1.

## Documents Reviewed by the California Department of Education

In considering the PTLAH petition, CDE staff reviewed the following*:*

* PTLAH petition (Attachment 3)
* Educational and demographic data of schools where pupils would otherwise be required to attend (Attachment 2)
* PTLAH budget and financial projections (Attachment 4)
* LAUSD findings evidencing the denial of the PTLAH petition and petitioner’s response (Attachment 5)
* PTLAH articles of incorporation, bylaws, and conflict of interest policy (Attachment 6)
* CDE letters of fiscal concern to PTLAH and PTLAH’s responses (Attachment 9)

**Attachments**

* **Attachment 1:** California Department of Education Charter School Petition Review Form: Prepa Tec Los Angeles High (57 Pages)
* **Attachment 2:** Prepa Tec Los Angeles High Data Tables (8 Pages)
* **Attachment 3:** Prepa Tec Los Angeles High Petition (425 Pages)
* **Attachment 4:** Prepa Tec Los Angeles High Budget and Financial Projections (297 Pages)
* **Attachment 5:** Los Angeles Unified School District (LAUSD) Board of Education Meeting Minutes, LAUSD Findings for Denial, Notice of Alleged Violation, and Petitioner’s Responses (844 Pages)
* **Attachment 6:** Prepa Tec Los Angeles High Articles of Incorporation, Conflict of Interest Policy and Bylaws (34 Pages)
* **Attachment 7:** Prepa Tec Los Angeles High Complete Appeal Submission (1708 Pages)
* **Attachment 8:** Los Angeles Unified School District Complete Appeal Submission (1910 Pages)
* **Attachment 9:** California Department of Education Letters of Concern and Prepa Tec Los Angeles High Responses (129 Pages)

## Descriptive Image Alternative Text

### Page 5: 2018–19 Suspension Rates for PTLAH

California School Dashboard dial for PTLAH. 2018 Suspension Rate indicating Red, with 6.5 percent of pupils suspended at least once, and Equity Report data indicating two student groups in Red and one student group in Orange; and 2019 Suspension Rate indicating Blue, with 1.5 percent of pupils suspended at least once (decreased from 2018), and Equity Report data indicating two student groups in Green and one student group in Blue.