STAFF ANALYSIS AND PROPOSED FINDINGS OF FACT REGARDING REVIEW OF ROCKETSHIP RISING STARS ACADEMY CHARTER SCHOOL DISTRICT APPEAL RENEWAL PETITION

November 3, 2020

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Rocketship Rising Stars Academy Charter School (Rising Stars, Rocketship or RRS) seeks approval to renew its Santa Clara County independent, direct funded, district appeal charter school serving students in grades TK-4. Rising Stars was initially approved on June 16, 2015, for a five year term, and opened in August of 2016. Rising Stars has requested renewal for a term of five years from July 2021 through June 2026. Rocketship Rising Stars, located within the Franklin McKinley School District (FMSD) boundaries, currently serves approximately 625 students.

PROCEDURAL STATUS

The Charter Schools Department of the Santa Clara County Office of Education (County Office of Education or SCCOE) received a renewal charter Petition (Petition or Charter), from RRS on August 24, 2020. Academic performance criteria and the potential length of a charter renewal are determined in accordance with Education Codes 47607 and 47607.2, based on “high,” “middle,” or “low” performance levels for charter schools. Per the California Department of Education’s (“CDE”) list of Charter School Performance Categories determined in accordance with Education Code Sections 47607(c) and 47607.2(a) and (b), Rocketship Rising Stars is in the middle performing category. Therefore, any renewal of RRS’s charter would be for a five-year renewal term (see further analysis below). If the Charter is renewed by the Santa Clara County Board of Education (SCCBOE or County Board), the new Charter term would begin on July 1, 2021, and run through and including June 30, 2026. Renewals and material revisions of district appeal charters are governed by the standards and criteria set forth in Education Code Section 47605, 47607, and 47607.2.

On September 16, 2020, SCCBOE held a public hearing on the RRS Renewal Petition in accordance with the requirement to do so within 60 days of receipt of the renewal application. On September 17 and 18, 2020, SCCOE Staff conducted a renewal site visit and held renewal interviews with RRS parents, students, staff, board members and representatives of Rocketship Education doing business as Rocketship Public Schools as the charter management organization/network (RPS or CMO or Network).

Per Education Code Sections 47605, 47607, and 47607.2, the County Board has 90 days from receipt of the renewal petition to act, which may be extended by an additional 30 days by mutual agreement.

SCCOE and RRS developed a Memorandum of Understanding (MOU), which was signed by the Petitioner on October 19, 2020, which governs the respective fiscal, operational, and administrative responsibilities, legal relationships, and other matters requiring clarification or not otherwise addressed or resolved by the terms of the Charter, pending any further direction or recommendations by the SCCBOE, including SCCBOE’s adoption of the findings and recommendations set forth herein.

The complete renewal Petition that the SCCBOE is acting on is attached to the agenda and is also available for review at: https://www.sccoe.org/supoffice/charter-schools-office/Pending/Rocketship%20Rising%20Stars%202020%20Renewal%20Petition.pdf
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 in accordance with the following standards:

(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 that 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 [County Board of Education] 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 does include additional considerations and standards.

Education Code Section 47605 specifies that the County Board of Education may deny a renewal petition only 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 of 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 High, Middle, or Low Performance category based on academic performance results:

a. **High Performing: The renewal term may be 5-7 years, based on authorizer’s discretion if either of the following criteria has been met in the two years preceding renewal:**
   (A) Had all students in the two highest performance bands for all indicators on the California Dashboard for the preceding two years prior to renewal, OR
   (B) Had all students out-perform the State in all academic indicators on the California Dashboard (or a majority of the student groups out-perform the State) for the preceding two years prior to renewal.

b. **Low Performing: A school will not be renewed if either of the following criteria has been met in the two years preceding renewal:**
   (A) Had all students in the two lowest performance bands for all indicators on the California Dashboard for the preceding two years prior to renewal, OR
(B) Had all students not out-perform the State in all academic indicators on the California Dashboard (or a majority of the student groups not out-perform the State) for the preceding two years prior to renewal.

However, the authorizer may make an exception and renew a low performing school if it makes both of the following written factual findings:

(A) The charter school is taking meaningful steps to address the underlying cause or causes of low performance reflected, or will be reflected, in a written plan adopted by the charter school’s governing board, and

(B) 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. To be considered for renewal, the charter school must show either of the following:

(A) Performance on the state and local indicators on the Dashboard, giving greater weight to measurements of academic performance

(B) Clear and convincing evidence based on verified data showing either:
   (i) The school achieved measurable increases in academic achievement, defined by at least one year of growth for each year of school, OR
   (ii) Strong post-secondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

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

(A) Failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school;

(B) Closure of the school is in the best interest of pupils; AND

(C) 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 Sections 47607 and 47607.2, the CDE created a list of all charter schools and ranked their academic performance indicators from the California Dashboard, specifying whether each school is in the high, middle, or low performance levels, or is a Dashboard Alternative School Status (DASS) program. This list was intended to relieve the burden on authorizers 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 that 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

Determination Criteria for Renewal of Rocketship Rising Stars

In its Charter, RRS states that it meets the minimum required academic performance standards and that its academic performance supports charter renewal. To assess its academic performance against the criteria for middle-performing charter schools, RRS submitted its data from the California Assessment of Student Performance and Progress (“CAASPP”) as well as comparison school data from the local district and local district schools RRS students would otherwise have attended. RRS states the data submitted on pages 10 through 21 of the renewal Charter establishes that RRS meets the criteria for charter renewal. Staff has not reproduced all of the information provided by RRS in this Staff Analysis and Proposed Findings of Fact but incorporates it and the CAASPP data herein by this reference.

The data below represents some of the most significant data provided by RRS and/or available for consideration of RRS’s academic performance.

High Performing, Middle Performing, or Low Performing per the California Department of Education

As stated above, the CDE released a list of all the California charter schools’ performance data and their performance ranking. Per the CDE’s list, Rocketship Rising Stars is categorized as a middle-performing charter school. In the chart below, criteria 1 and 2 represent the high-performance category check points and criteria 3 and 4 determine low-performance category check points. Any school that does not qualify for high or low-performing status is automatically placed in the middle-performing category. Student groups include: Students with Disabilities (SWD), Socioeconomically Disadvantaged (SED), English Learners (EL), and various ethnicities.
School Academics

The tables below reflect the CAASPP data verified by SCCOE staff, (https://caaspp-elpac.cde.ca.gov/) while determining RRS’s schoolwide student performance and progress relative to the district and schools with the largest student populations enrolled at RRS. This comparison data is relevant as part of the consideration of the schoolwide performance and performance of all pupil groups, giving greater weight to performance on measurements of academic performance. Due to COVID-19, all statewide testing for 2019-20 was cancelled. The tables below constitute the most recent academic data available to review. Statewide testing does not begin until third grade, therefore the charts only contain data on the grades tested for students which the school serves.

Table 1: ALL STUDENTS (percentage at or above standard on CAASPP)

<table>
<thead>
<tr>
<th>Grade</th>
<th>RRS 2018-19 SBAC (ELA: gr. 3-4)</th>
<th>FMSD 2018-19 SBAC (ELA: gr. 3-4)</th>
<th>State 2018-19 SBAC (ELA: gr. 3-4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>55.77</td>
<td>38.81</td>
<td>48.54</td>
</tr>
<tr>
<td>4</td>
<td>67.85</td>
<td>40.30</td>
<td>49.46</td>
</tr>
<tr>
<td>All</td>
<td>61.17</td>
<td>39.55</td>
<td>49.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grade</th>
<th>RRS 2018-19 SBAC (Math: gr. 3-4)</th>
<th>FMSD 2018-19 SBAC (Math: gr. 3-4)</th>
<th>State 2018-19 SBAC (Math: gr. 3-4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>67.31</td>
<td>45.81</td>
<td>50.22</td>
</tr>
<tr>
<td>4</td>
<td>81.71</td>
<td>36.85</td>
<td>44.94</td>
</tr>
<tr>
<td>All</td>
<td>73.66</td>
<td>41.33</td>
<td>47.58</td>
</tr>
</tbody>
</table>

Data for 2019-20 is NA or not available due to cancelation of statewide testing due to COVID-19.
Table 1, above, reflects the 2018-19 Smarter Balanced Assessment Consortium (SBAC) results in English Language Arts (ELA) and Math for RRS, FMSD and the State. RRS’s overall performance is above that of students attending FMSD and the State. While FMSD serves students K-8 and the State serve students K-12, the FMSD and State scores here represent only grades 3-4 to show comparison to RRS.

Table 2, above, compares schoolwide student progress across the last three years of SBAC assessment for FMSD, the State, and RRS students. Results reflect a rate of progress for RRS students that is above their FMSD peers in ELA and significantly above in Math.

Table 3, above, reflects grade level, year-over-year progress for RRS students on the CAASPP. When looking across the table, all grades, except fourth, show increases in ELA and math. Fourth grade ELA results declined from 2016-17 to 2017-18. This table also shows cohort data across grade levels (when looking diagonally on the chart). All cohorts show improvement in ELA and Math.

Table 4, above, reflects numerically significant student groups in Grades 3-4 (percentage at or above standard on CAASPP).
Table 4, above, reflects the numerically significant student group data over the last four years. Though students from SED student group demonstrated substantial growth overall, the group showed a slight decline in math from 2017-18 to 2018-19. All numerically significant student groups showed increases in ELA and Math.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ALL</td>
<td>61.16</td>
<td>39.55</td>
<td>23.02</td>
<td>47.60</td>
<td>29.12</td>
<td>54.77</td>
<td>49.00</td>
</tr>
<tr>
<td>SED</td>
<td>56.30</td>
<td>34.62</td>
<td>19.68</td>
<td>45.62</td>
<td>24.66</td>
<td>44.60</td>
<td>37.05</td>
</tr>
<tr>
<td>Hispanic</td>
<td>52.31</td>
<td>28.26</td>
<td>16.72</td>
<td>30.32</td>
<td>24.29</td>
<td>36.25</td>
<td>38.91</td>
</tr>
<tr>
<td>EL</td>
<td>43.48</td>
<td>15.11</td>
<td>6.76</td>
<td>20.28</td>
<td>18.18</td>
<td>27.07</td>
<td>18.01</td>
</tr>
<tr>
<td>SWD</td>
<td>26.31</td>
<td>16.75</td>
<td>*</td>
<td>32.17</td>
<td>*</td>
<td>*</td>
<td>20.38</td>
</tr>
</tbody>
</table>

Table 5, above, compares the 2018-19 CAASPP data for RRS to the elementary schools in FMSD which RRS students otherwise would have attended: Dahl, Lairon, Franklin and Shirikawa elementary schools. While Franklin students with disabilities outperform RRS students in ELA, RRS significantly outperforms each of the comparison schools in all other categories and among all student groups in both ELA and Math.

In 2017, the State of California instituted the California Dashboard to help parents and educators identify strengths and areas for improvement. The Dashboard reports how districts, schools (including alternative schools serving high-risk students), and student groups are performing across state and local measures. For State measures, performance is based on two factors: (1) current year results, and (2) whether results improved or declined from the prior year as compared to themselves. Performance on state measures, using comparable statewide data, is represented by one of five colors. The performance level, or color is not included when there are fewer than 30 students in any year. This is represented by using a grey color dial with the words “No Performance Color.”

**Chart 2: California Dashboard Performance Color Chart**

Due to COVID-19 and the suspension of statewide testing, the California Dashboard was suspended for 2019-20. Thus, the following data is based on the 2018-19 Dashboard Data. In 2018-19, RRS was 19.5
points above standard in ELA and demonstrated an increase of 30.9 points from the prior year, making the performance level for all students Blue, which is the highest level. Following is a summary of the 2018-19 Dashboard performance levels in ELA for all RRS student groups. Students in the English Learner student group were in the Blue performance level, scoring 17.8 points above standard and increasing by 28.7 points from the prior year. The SED student group was in the Green performance level with 8.5 points above standard and an increase of 24.5 points. Students in the Hispanic student group were in the Green Performance level due to scoring 3 points below standard while increasing 23.1 points from the prior year. Students in the Asian student group scored 76 points above standard and increased 36.2 points from the prior year but did not receive a performance level because the group included fewer than 30 students. Students in the SWD group, which also had fewer than 30 students, scored 77.7 points below standard and had no previous comparison data.

RRS was in the Blue performance level in Math on the 2018-19 Dashboard due to scoring 53.8 points above standard and increasing 24.6 points from the prior year. The math performance levels for RRS's student groups are described in the following summary. Students in the English Learner student group were in the Blue performance level, scoring 56.8 points above standard and increasing 25.4 points from the prior year. Students in the Socioeconomically Disadvantaged student group were in the Blue performance level due to scoring 44.5 points above standard and increased 15.8 points from the prior year. The students in the Hispanic student group were in the Blue performance level due scoring 32.9 points above standard and increasing 16.7 points from the prior year. Students in the Asian student group scored 107.1 points above standard and increased 247 points from the prior year but had no performance color due a group size of less than 30. Students in the Students with Disabilities group had no performance color due to group size, had no previous comparison data, and scored 21.3 points below standard from the prior year.

No performance colors or scores were given for students who are African American, Filipino, Homeless, Two or More Races, Pacific Islander, or White, as the sample size was less than 11 students tested, and data was not provided to protect privacy.

Other indicators on the California Dashboard for Rising Stars were Chronic Absenteeism – Yellow, Suspension Rate – Blue, and English Learner Progress Indicator (ELPI) – Low performing with 42% making progress. See Chart 3 below. Again, the Dashboard performance colors are a measure of RDP’s current year performance against its own past performance, and are, thus, a measure of RDP’s own growth. As such, comparing the colors on RDP’s Dashboard to other schools or districts would not be a comparison of actual testing outcomes but only of relative growth or lack of growth (e.g., School A with a lower CAASPP score could have a “better” color than School B with a higher CAASPP score because School A had greater growth).

**Chart 3: RRS Student Group Report for 2019 per the California Dashboard**

<table>
<thead>
<tr>
<th>Student Group</th>
<th>Chronic Absenteeism</th>
<th>Suspension Rate</th>
<th>English Language Arts</th>
<th>Mathematics</th>
<th>English Learner Progress Indicator (ELPI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Students</td>
<td>Yellow</td>
<td>Blue</td>
<td>Blue</td>
<td>Blue</td>
<td>Low - 42%</td>
</tr>
<tr>
<td>English Learners</td>
<td>Yellow</td>
<td>Blue</td>
<td>Blue</td>
<td>Blue</td>
<td></td>
</tr>
<tr>
<td>Socioeconomically Disadvantaged</td>
<td>Yellow</td>
<td>Blue</td>
<td>Blue</td>
<td>Blue</td>
<td></td>
</tr>
<tr>
<td>Students with Disabilities</td>
<td>Orange</td>
<td>Yellow</td>
<td>no performance color</td>
<td>no performance color</td>
<td></td>
</tr>
<tr>
<td>Asian</td>
<td>Blue</td>
<td>Blue</td>
<td>no performance color</td>
<td>no performance color</td>
<td></td>
</tr>
<tr>
<td>Hispanic</td>
<td>Yellow</td>
<td>Blue</td>
<td>Blue</td>
<td>Blue</td>
<td></td>
</tr>
</tbody>
</table>

*No performance color given for groups of less than 30 students*
RRS’s academic performance data reflects increases in academic achievement schoolwide and across numerically significant student groups over the course of the entire charter term. RRS students perform the same as or above the schools and districts they otherwise would have attended. Education Code Sections 47607 and 47607.2 require the County Board to consider clear and convincing evidence demonstrated by verified data of measurable increases in academic achievement based on RRS’s students making at least one year of growth for each year of Rising Stars’ charter term. Data for 2019-20 was not factored into this analysis, as no academic data was produced in 2019-20 due to COVID-19. As part of an addendum to the new MOU, SCCOE Staff recommends that RRS include in its 2021-22 Local Control Accountability Plan (LCAP) how it will continue to address the academic performance of RRS students—specifically the chronic absenteeism and low performing English Learner Progress Indicator. RRS’s achievement data constitutes clear and convincing evidence of at least one year of growth for each year in school and that evidence, along with RRS’s Dashboard results, support renewal when providing greater weight on measures of academic performance. As discussed in more detail below, RRS’s past fiscal and operational performance also support renewal.

**Finances**

RRS exhibits a healthy financial position. As of June 30, 2019, RRS had an audited reserve balance of 33%. RRS, the Network, and the RPS Board of Directors have shown strong fiscal oversight. RRS’s Independent Auditor’s Report and Consolidated Annual Financial 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. Currently, RPS, as part of their centralized finance and accounting functions, submits RRS fiscal reports as required by law and the SCCOE reports on a timely basis, including by providing site-specific, state-mandated reports. However, RRS has not fully complied with SCCOE’s requests, the terms of existing memoranda of understanding between RPS and SCCOE, or the October 19, 2020, MOU which require the individual SCCOE-authorized charter schools to operate as distinct and separate LEAs that each maintain their own set of financial records, distinct from any other school(s) that may be operated by or related to the school, RPS, or any other related entity, and that at all times each charter school submit financial reports as a distinct LEA. As part of SCCOE’s oversight of the charter school, SCCOE needs to receive monthly site level general ledger or equivalent reports. RRS currently provides only RPS-wide monthly bank statements and bank reconciliations instead of school specific reports. SCCOE Staff recommends that, as a condition for renewal of the Charter, a term be included in the addendum to the MOU whereby RPS and RRS recommit to these obligations and determine the specifics of a plan for compliance to SCCOE’S satisfaction that includes monthly submission of RRS-site level general ledger or equivalent reports.

RRS reported an Average Daily Attendance (ADA) of 594 for Fiscal Year (FY) 2019-20. RRS projects steady enrollment for FY 2020-21 with an ADA of 593. Charter Department Fiscal Staff (Fiscal Staff) is not aware of any significant financial concerns for RRS. It appears RRS projects strong finances with stable ADA for the projected fiscal years.

### Table 6: Fiscal Historical Revenue/Expenditure Data for RRS

<table>
<thead>
<tr>
<th>Historical Revenue/Expenditure Data for RRS</th>
<th>2017-18</th>
<th>2018-19</th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Beginning balance</td>
<td>264,663</td>
<td>1,073,880</td>
<td>2,272,043</td>
</tr>
<tr>
<td>B. Revenues</td>
<td>7,141,893</td>
<td>8,145,048</td>
<td>8,278,277</td>
</tr>
<tr>
<td>C. Expenditures</td>
<td>6,332,676</td>
<td>6,946,885</td>
<td>7,034,746</td>
</tr>
<tr>
<td>D. Surplus/Deficit (B-C)</td>
<td>809,217</td>
<td>1,198,163</td>
<td>1,243,531</td>
</tr>
<tr>
<td>E. Ending balance (A+D)</td>
<td>1,073,880</td>
<td>2,272,043</td>
<td>3,515,574</td>
</tr>
</tbody>
</table>


Demographic Data

In accordance with Education Code Section 47607(d), SCCOE requested, received from CDE, and reviewed aggregate data reflecting pupil enrollment patterns at RRS.

REVIEW OF THE CHARTER PETITION

SCCOE Staff reviewed the renewal Petition using the criteria established in California Education Code Sections 47605, 47607, and 47607.2, and County Board Policy 0420.4(c) and made the following findings:

1. Sound Education Program

The RRS renewal Petition presents a research based educational program that meets the required elements of a sound educational program. As one of the ten Rocketship schools in Santa Clara County, RRS benefits from a network-wide structured systematic and congruent educational program. RRS, along with the other schools in this portfolio, operates under three foundational pillars (1) Teachers and leaders elevating and celebrating success, (2) Rocketeer students with personalized learning and growth, and (3) Rocketeers’ parents being leaders in home, school, and community. Further, each Rocketship school has four core values - respect, responsibility, persistence, and empathy - with a fifth value selected by the school itself. RRS has added “Advocacy” for their school. Prior to COVID-19, instruction was provided through a blended learning model using standards-aligned (Common Core State Standards and Next Generation Science Standards) curriculum, delivered through a block schedule with 90 minutes of independent learning (learning lab). Due to COVID-19, Rocketship has adapted its curriculum delivery to a distance learning (DL) platform and is looking at implementing a hybrid DL/in-person delivery process now that schools can begin reopening in Santa Clara County.

Currently, Zoom classrooms have between 20-35 students with two instructors who co-teach the material. One instructor focuses on class content while the other focuses on student support and classroom management. In addition, DL provides 50 minutes of ELA, 50 minutes of Math, and 30 minutes of Social Emotional Learning (SEL) time with live instruction through Zoom Monday-Thursday mornings. Afternoons are used for small group instruction and providing additional support, including designated English Language Development (ELD) and Individual Education Plan (IEP) supports. Fridays are planning time, independent Online Learning Program (OLP) goal completion time, and intervention classes. The OLP is individualized and adaptive, providing students on-demand insight into performance and progress. The OLP also yields classroom and school-wide data. Classes also utilize Zoom break-out rooms for small group instruction.

During the ELA block, teachers focus on the explicit teaching and application of literacy skills, such as reading comprehension, writing skills, and writing process. RRS has also taken on a thematic approach for the ELA block so that students have an opportunity to go deeper into the topics and make connections across the literacy domains with what they are studying. On the other hand, Mathematics begins with practice standards, which allow students to engage with the subject matter), while preparing them for the actual content standards. Additionally, the Next Generation Science Standards are delivered through the integrated content instruction, where social studies and science are embedded into and explored through ELA and Math instruction.
**Students Performing Below Grade Level:**

The OLP allows all students to identify and receive immediate support from staff in remediating challenges and accelerating strengths. Additional support is provided during small group instruction in the classroom and through DL via Zoom in the afternoons.

**Special Education:**

RRS serves as its own LEA for the purposes of compliance with the Individuals with Disabilities Education Improvement Act (IDEIA) and is a member of the El Dorado County Charter SELPA. RRS has 48 (7.6%) students identified as special education eligible, with many of these students being eligible with mild to moderate needs. These needs are identified as follows: 31.3% specific learning disability, 29.2% speech-language impairment, 14.6% other health impairment, 20.8% autism, 4.2% emotional disturbance, and 3.8% intellectual disability. RRS, along with the other schools in the Rocketship portfolio, has a lower percentage of special education eligible students relative to the district of location (FMSD = 10.1%).

Students with special needs are supported through RRS’s Integrated Special Education (ISE) model where Individualized Education Plan (IEP) goals are delivered with the maximum amount of inclusion appropriate. Two ISE specialists and two ISE support staff at RRS provide support to students identified for special education students through small group pull-out or push-in models, co-teaching with general education staff, and individual support as appropriate. Moreover, the prescriptive nature of the educational day at RRS allows a higher level of adult support for students who are eligible for special education. SCCOE Staff continues to monitor special education compliance though RRS is solely responsible for compliance with the IDEIA, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act.

**English Learners (EL):**

Of the total student population at RRS, 56.2% have been identified as English Learners. RRS has instituted a compliant systematic process that addresses the identification of students as English Language Learners from day one, while making sure each student’s educational and language development progress is measured annually to help determine individual growth and schoolwide performance. The English Language Development (ELD) Standards are broken down into three parts that allow for (1) meaningful interaction with English language, (2) meaningful application of English language, and (3) foundational skills for beginning EL students. ELD standards are delivered through integrated and designated instructional environments. During COVID-19, ELD is provided through integrated and designated instructional opportunities via distance learning. EL students are provided individual and small group instruction depending on their stages of language development (emerging, expanding, and bridging) within integrated classroom environments. The intent of the designated ELD periods are to focus on oral language development as well as reading and writing tasks to develop awareness of how the English language works.

During SCCOE Staff's annual and renewal visit, informal observations, and discussions with RPS staff, RRS agreed that although all staff have been trained, more training and follow-through is needed regarding ELD. RRS and RPS provided additional documentation and evidence of the additional supports which are being provided for ELD instruction during COVID-19 and which will continue when in-person instruction begins for ELD students. Members of the RPS Achievement Team have been working to improve the quality of instruction for English Learners. They have received some guidance from the SCCOE multilingual team and continue to incorporate best practices into network plans, observation protocol, and school site coaching sessions. Additional
training and support of RRS staff in ELD should be included in an addendum to the MOU to address the low English Learner progress indicator on the RRS California Dashboard where 42% of English Learners are making progress toward English Language Proficiency and to address the 40.5% of English Learners who decreased at least one language proficiency level during the 2018-19 school year.

The Charter Schools Department Staff concluded that the RRS renewal Petition provides sufficient information to substantiate the required elements for a sound educational program provided that academic performance issues are remediated through the LCAP and provisions in an addendum to the MOU.

2. **Ability to successfully implement the program set forth in the Petition**

Staff found facts that demonstrate the Petitioners are likely to successfully implement the program if RRS creates and implements plans for addressing academic declines and correcting the various issues and concerns noted throughout this Staff Analysis and Findings of Fact through an addendum to the MOU as described more fully throughout this Staff Analysis and Findings of Fact.

3. **Affirmation of each of the conditions required by statute**

SCCOE Staff found that the Petition contains all of the required affirmations except an explicit statement that RRS shall provide notice of the requirements of Education Code Section 47605(d) in the form developed by the California Department of Education, which notice shall be posted on RRS's internet website and RRS shall provide a parent or guardian a copy of this notice at all of the following times:

(i) When a parent, guardian, or pupil inquires about enrollment

(ii) Before conducting an enrollment lottery

(iii) Before disenrollment of a pupil

RRS has provided this documentation on its website and must also include this affirmation in an addendum to the MOU as well as in its Student/Parent Handbook.

4. **Reasonably comprehensive description of the required elements**

In order for the description of each element to be considered “reasonably comprehensive,” it is not enough that the renewal Petition include a description, but rather the description should be acceptable to SCCOE and consistent with and not contrary to SCCOE's standards and expectations for charter schools under its oversight. SCCOE Staff’s indication that the description of an element is “reasonably comprehensive” should not be interpreted to mean that SCCOE Staff does not believe that additional or different terms relating to that element would need to be agreed to by the Petitioner through the MOU and addendum process. Further, while SCCOE Staff may make recommendations for remediation in an area, or specify that particular issues or terms have been or will need to be clarified or resolved through the MOU or an addendum to the MOU or specify that particular issues or terms have been or will need to be clarified or resolved through the MOU or addendum to the MOU, this does not mean that other areas may not need additional correction to be included in the MOU or in an addendum to the MOU. Further, Staff’s determination that an element is reasonably comprehensive may be premised on noted issues being remediated through the MOU and addendum process.
The Charter Schools Department Staff found that the Petition provides a sufficiently comprehensive description of the required elements for approval, though, as indicated in the Charter and in this Staff Analysis, additional specificity and requirements governing RRS’s operations, including its compliance with the required charter elements, have been included in the MOU and/or will need to be included in an addendum to the MOU among RRS, its governing entity/CMO, RPS, and the SCCOE.

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

SCCOE Staff concluded that RRS provided sufficient information in the renewal Petition to substantiate the required elements for a sound educational program. However, implementation of all the elements in the Petition need additional support and practice.

The Charter Schools Department Staff believes this section of the Charter includes a reasonably comprehensive description only if the means of remediating the chronic absenteeism and the low performing English Learner Progress indicators are provided for in the addendum to the MOU and successfully implemented by RRS.

B. **Element Two: Measurable Student Outcomes**

RRS’s petition includes an LCAP and Learning Continuity and Attendance Plan (LCP) that addresses state requirements and provides both quantitative and qualitative indicators for determining performance and progress; however, the LCAP is more focused on the network plan rather than specifically RRS’s individual plan. While the LCAP is not required for 2020-21 due to COVID-19, the LCP is required by the State. Parent input was solicited through a survey of all Rocketship parents, followed by an in person meeting where the required components of the LCAP and LCP were shared. Charter-wide parental input was considered as RRS parents and staff determined the best way to utilize their Local Control Funding Formula (LCFF) funds. RRS’s LCAP sets achievable benchmarks that scaffold across the three-year span, utilizing student (plus sub-groups) proficiency levels on CAASPP in English Language Arts and Math as the academic criteria. Additional academic metrics involve student performance and progress on the English Language Proficiency Assessments for California (ELPAC). Attendance, absenteeism, suspension, and expulsion rates, with achievable benchmark goals, help provide corresponding metrics in determining student outcomes. Parent satisfaction survey results and frequency of parent-teacher conferences and community meetings help round out additional measurable outcomes in describing RRS’s comprehensive LCAP. SCCOE Staff also notes that the law regulating charter school adoption of an LCAP for future years has been revised and RRS is now required to comply with all requirements for adoption and revision of an LCAP, including the holding of at least one public hearing to solicit public input on the LCAP in accordance with Education Code Section 47606.5.

The Charter describes means of achieving parent involvement, including through parent service on the Regional Advisory Board, School Site Council, and English Learner Advisory Council. As specified in the Governing Element of the Charter, RPS has also committed to parent participation on the RPS Board, with at least two seats on the RPS Board reserved for parents of current Rocketship Network students.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description.
C. **Element Three: Method by Which Pupil Progress in Meeting Outcomes will be Measured**

RRS’s assessment plan utilizes multiple measures that include baseline, formative, interim and summative assessments. Baseline and formative assessments (beginning-year Core CMO/teacher assessments) provide individual and classroom feedback to inform instruction for students and staff. Interim assessments [Measures of Academic Progress (MAP), mid-year Core CMO/teacher assessments, and STEP reading assessments] provide standardized data that can be aggregated and analyzed to both inform and predict student performance and progress. Summative data (SBAC, ELPAC, Physical Fitness Testing, and end of year Core CMO/teacher assessments), provide school- and network-wide information relative to student performance and success. RRS is supported by the Achievement and Analytic team which provides and leads frequent discussions throughout the school year in helping staff reflect on student performance and growth. Every student’s performance and progress is measured and adult support/intervention is “adapted” to target for student success.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description.

D. **Element Four: Governance Structure**

In 2013, Rocketship Education submitted, and the SCCBOE approved, a material revision consolidating the governance and leadership of all the Rocketship charters under one governing Board of Directors and centralized all vital functions (i.e. finance, accounting, human resources, special education, curriculum, professional development, facilities/maintenance, and technology) into one location referred to as the “Rocketship Network.” The 2013 material revision provided the Rocketship network of charters educational consistency and financial optimization. This material revision took effect in 2013 and was incorporated into the initial Charter Petition for RRS.

In accordance with Education Code section 47604, all Rocketship campuses will be operated by Rocketship Education, Inc., doing business as Rocketship Public Schools, a California non-profit public benefit corporation with 501(c)(3) status. All staff are employees of RPS. RPS is governed by a Board of Directors (“Board”) pursuant to its corporate bylaws as adopted in accordance with the RPS 2013 Material Revision. RPS is an “entity managing a charter school” as defined in Education Code Section 47604.1.

Prior to 2019-20, Board meetings were held quarterly in accordance with the Brown Act, and RPS has specified that it will also hold special meetings as necessary in order for the Board to carry out its functions. During 2019-20, RPS increased the number of board meetings to seven. Due to COVID-19 and Executive Orders N-25-20, N-29-20, and N-35-20, all board meetings are held remotely, and public participation is accessed through online links.

Because Education Code Section 47604.2 adjusted the requirements for board meetings and governance effective January 1, 2020, RPS has needed to adjust its meeting schedule and, as necessary, the location of meetings and inclusion of teleconference locations at each school site, to comply with the changes to the law, which RRS has specifically acknowledged in the renewal Petition and incorporated prior to COVID-19. The Charter specifies that RPS shall comply with the Brown Act, the Public Records Act, Political Reform Act of 1974, Government Code Section 1090 et seq., and no interested person (as identified in the corporate bylaws) is permitted to serve on RPS’s Board of Directors.
During the March 5, 2020, Rocketship Board Meeting, RPS took action to appoint two parents to the RPS Board of Directors for a two-year term. During the meeting, RPS also presented and approved a plan regarding parent voice at all stages of leadership: School Site Councils, English Learner Advisory Committees, the Regional Advisory Council, and the RPS Board of Directors. The RPS Board of Directors now has 17 members, including the two parents. The RRS Charter specifies that at least two RPS Board members will be parents of a student enrolled at Rocketship, which complies with SCCBOE’s priorities for parental involvement in charter school governance. SCCOE staff recommends that SCCBOE include as a condition of renewal of RRS’s charter, that the RPS Bylaws be revised to reserve a minimum of two board seats for parents of current Rocketship Network students, who shall also serve on the Regional Advisory Board, consistent with terms of the Charter. SCCOE Staff also recommends that RPS implement the plan developed by Rocketship and adopted by the RPS board at its March 5, 2020, meeting. While the Charter specifies that parents can get involved by becoming members of the Advisory Board, School Site Council, or English Language Advisory Committee, the addendum to the MOU should also specify that parents can become members of the RPS Board of Directors.

Rocketship described the establishment of a “Regional Advisory Council” (RAC) as a regional representation of parents, teachers, and civic and business leaders that serves as a formal structure giving a voice to Rocketship students, families and communities in advising the RPS Board of Directors. The RAC meets four times a year. The two new parent board members will also serve on the RAC. RRS established a School Site Council (SSC) and English Language Advisory Committee (ELAC) that meets four times per year. In addition, due to COVID-19, RRS held weekly updates/meetings along with the monthly “Cafecitos” at the RRS school site and via Zoom in order to provide informal opportunities for parents to interact and engage with RRS staff.

The corporate bylaws were last revised in June 2020 and must be further updated to be consistent with the requirements of the Charter, the MOU, and the addendum to the MOU, specifically including, but not limited to, the reservation of board seats for parents and clarification that any SCCBOE representative to the RPS Board shall serve solely in the SCCBOE or designee’s discretion and no limitations or qualifications for service on the Board shall apply to any such SCCBOE representative as well as any new laws enacted since the last revision.

In accordance with the SCCBOE’s previously expressed position on best practices for charter school transparency, SCCOE Staff recommends that SCCBOE require as a condition of renewal that RPS’s board of directors and any other legislative bodies for purposes of the Brown Act include with their posted agendas links to the backup materials for each agenda item for which there are electronic versions of backup materials that are not excluded from public disclosure. At the later of (1) the posting of the agenda or (2) the time that the staff provides a final copy of agenda item backup materials to all or a majority of all of the members of the legislative body, it shall post a link in the pertinent agenda item to those materials that are not excluded from public disclosure.

In accordance with the requirements of Education Code Section 47605(h), the Petition includes the names and biographies, indicating the relevant qualifications, of all persons who currently serve on the RPS Board.

SCCOE Staff requests and recommends that as various Rocketship Network schools submit charter renewal and/or material revision requests to SCCBOE in the future, those charter
petitions incorporate updates and revisions to reflect current practices, including requirements to which RPS has agreed as part of the approval/renewal process of other Network charters.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description only if the issues identified above are addressed in an addendum to the MOU and imposed as conditions of renewal.

E. Element Five: Employee Qualifications

For all administrative, instructional, instructional support, and non-instructional support capacities, Rocketship recruits qualified personnel who believe in the instructional philosophy outlined in its vision statement. In accordance with Education Code 47605(b)(5)(e), Rocketship shall be nonsectarian in its employment practices and all other operations. Rocketship shall not discriminate against any individual (employee or student) on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).

RRS continues to work with SCCOE Human Resources to ensure its teaching staff meet all the legal requirements for them to perform as teachers. RPS has a dedicated staff member to monitor credentials and staffing requirements. RPS also has an experienced teacher serving as its network program director and two specialists who are supporting the special education staff at the site level and monitoring special education needs across the network. As of the time of the SCCOE Staff annual visit to the school site, all RRS Staff meet the current credentialing requirements.

AB 1505 eliminated “flexibility” in charter school teacher credentialing requirements, and the RRS Charter specifically acknowledges this change and recognizes all teachers must hold the Commission on Teacher Credentialing certificate, permit, or other documents required for the teacher’s certificated assignment. However, the description of teacher qualifications in the Petition refers to “core classroom teachers,” overlooking the fact that the qualifications apply to all RRS teachers.

The Charter also specifies that all “core” teachers must have or be working toward Cross-cultural Language and Academic Development (CLAD) certification or a Commission on Teacher Credentialing recognized equivalent. This requirement is not limited to “core” teachers, but, rather, applies to all teachers who are assigned to provide instruction to English Learners.

The Charter specifies that the positions of Principal and Assistant Principal require a valid California teaching credential or permit that would qualify the individual to hold a credentialed teaching position in a California public school. The inclusion of this requirement is consistent with the SCCBOE’s previously expressed minimum requirements for Rocketship Network Principals and Assistant Principals.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description only if, as a condition of renewal, the MOU clarifies that all the new teacher qualifications apply to all teachers and not only “core” teachers.
F. **Element Six: Health and Safety**

RRS provided a detailed description of all Health and Safety Policies and addressed fingerprinting and background checks for all employees and for volunteers. All staff are expected to comply with Ed. Code 47605(b)(5)(f) and legal requirements and RRS is committed to providing a safe, compliant working environment. RRS has committed to adopting and updating by March 1 of each year a legally compliant school safety plan. In April 2020, RRS also updated its safety plan to include pandemic responses. RRS should commit to at least annually reviewing and updating, as appropriate, its health and safety policies in consultation with its insurance carrier and risk management team.

RRS has also provided and complied with additional health and safety measures regarding Public Health orders on COVID-19.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description.

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

On July 1, 2020, most requirements of AB 1505 took effect. Element G was updated to require that schools 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, that is reflective of the general population residing within the territorial jurisdiction of the district to which the RRS Charter was initially submitted, which, as previously established, is Franklin-McKinley School District. While RRS's renewal Charter acknowledges this change, the heading of this element of the Charter has not been correspondingly updated and should be in the future in order to convey the correct, inclusive intent.

<table>
<thead>
<tr>
<th>Table 7: Demographic Comparison of FMSD and RRS for 2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2019-20</strong></td>
</tr>
<tr>
<td>RRS</td>
</tr>
<tr>
<td>FMSD</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table 8: Student Group Comparison Data for 2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total # of Students</strong></td>
</tr>
<tr>
<td>RRS</td>
</tr>
<tr>
<td>FMSD</td>
</tr>
</tbody>
</table>

Data gathered from Dataquest: [www.data1.cde.ca.gov/dataquest](http://www.data1.cde.ca.gov/dataquest)

RRS strives through recruitment and admissions practices, to achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the local school district and has updated its description of this charter element to also address increasing efforts to create a balance of students with special needs and English learner pupils reflective of the population in the district. RRS's strategy includes, but is not necessarily limited to, (1) printing and distributing materials in English, Spanish, and other languages reflecting the needs of the community. (2) An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based application process. (3) The development and distribution of promotional and
informational material that reaches out to all the various racial and ethnic groups represented in the territorial jurisdiction of the local school district, as well as to families of students with special needs. (4) Continuous outreach activities throughout the community. (5) Ongoing data-based research into the local district’s demographics.

Table 9: Rocketship Rising Stars Demographic Data from 2016-17 to 2019-20

<table>
<thead>
<tr>
<th></th>
<th>Total # of Students</th>
<th>Hispanic or Latino %</th>
<th>Asian %</th>
<th>Filipino %</th>
<th>White %</th>
<th>African American %</th>
<th>Two or More Races %</th>
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</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>465</td>
<td>68.4</td>
<td>17.4</td>
<td>1.1</td>
<td>1.3</td>
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<td>1.3</td>
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<tr>
<td>2017-18</td>
<td>561</td>
<td>66.1</td>
<td>21.0</td>
<td>0.0</td>
<td>0.7</td>
<td>2.5</td>
<td>1.1</td>
</tr>
<tr>
<td>2018-19</td>
<td>631</td>
<td>64.5</td>
<td>27.7</td>
<td>0.2</td>
<td>2.1</td>
<td>2.4</td>
<td>0.6</td>
</tr>
<tr>
<td>2019-20</td>
<td>630</td>
<td>63.8</td>
<td>28.4</td>
<td>0.0</td>
<td>1.0</td>
<td>1.6</td>
<td>0.5</td>
</tr>
</tbody>
</table>

Table 10: Rocketship Rising Stars Student Group Data from 2016-17 to 2019-20

<table>
<thead>
<tr>
<th></th>
<th>Total # of Students</th>
<th>SES%</th>
<th>EL%</th>
<th>SWD%</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>465</td>
<td>78.3</td>
<td>57.8</td>
<td>3.2</td>
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<tr>
<td>2017-18</td>
<td>561</td>
<td>82.2</td>
<td>62.9</td>
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<td>2018-19</td>
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<td>42.0</td>
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<tr>
<td>2019-20</td>
<td>630</td>
<td>67.3</td>
<td>56.2</td>
<td>7.6</td>
</tr>
</tbody>
</table>

Data gathered from Dataquest: [www.data1.cde.ca.gov/dataquest](http://www.data1.cde.ca.gov/dataquest)

RRS’s student demographics do fairly closely reflect the demographics of the Franklin-McKinley School District, though RRS has a somewhat higher Hispanic or Latino population and correspondingly lower population of other demographic groups. RRS also has a higher percentage of English learner pupils, and a smaller percentage of students with special needs. This element of the Charter does reflect the SCCBOE and RPS Board’s desire to provide opportunities for the targeted demographic population to have access to choice programs. RRS’s Charter includes an outreach plan and focuses on a variety groups and has increased in diversity over time. RRS has also included a preference in the Charter for students who qualify for Free and Reduced Priced Meals (FRPM), to provide additional opportunities for diverse students to attend RRS.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description. RRS’s Charter includes a commitment to audit and expand its efforts as necessary to achieve the requisite balance in accordance with Education Code Section 47605(c)(5)(G).

H. Element Eight: Admissions Policies and Procedures

RRS has articulated student admission policies and procedures. The school is nonsectarian, tuition free, and does not discriminate against any pupil on the basis of protected characteristics.

Admission to the school is not determined by place of residence of pupil, or parent, except in the case of public random drawing. RRS has updated its admissions lottery procedures to be consistent with the updates to Education Code section 47605(c)(5)(H) and (d) of the Charter Schools Act.
In the event of a public random drawing, RRS specifies its intent to implement the following preferences in the following order:

1. Siblings of students currently admitted to or currently attending RRS
2. Children of staff, teachers, and founders of RRS (not to exceed 10% of total enrollment)
3. Students who qualify for free or reduced price meals
4. Residents of the Franklin-McKinley School District
5. Other California residents

Other than the preference for residents of the Franklin-McKinley, whether to permit the proposed preferences is within the discretion of the SCCBOE. The new preference for students who qualify for free or reduced price meals was proposed this year to assist with ensuring that Rocketship may continue to serve the community it originally intended to serve.

Admission to the school is not determined by place of residence of pupil, or parent, except in the case of public random drawing in accordance with the above-described preferences. SCCOE is aware that RRS has a formalized procedure for implementing its public random drawing should one become necessary. However, changes to the Charter Schools Act since RRS’s most recent renewal require the specifics of the drawing, including the means by which the admissions preferences are implemented, should be included in the Charter. While some basic information on the drawing procedure is identified in the Charter, Charter Schools Office Staff recommends that SCCBOE require RRS to include the specific and detailed procedures in the addendum to the MOU. The MOU also includes additional protections to ensure legal and nondiscriminatory admission to RRS.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description with the addition of the detailed public random drawing procedures in the addendum to the MOU.

I. **Element Nine: Financial Audit**

RRS states in the Petition that the audit will be conducted in accordance with Education Code Sections 47605(c)(5)(I) and 47605(m), generally accepted accounting procedures, and with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller’s K-12 Audit Guide. The Petition outlines RRS financial audit procedures, including how the independent auditor will be selected and retained, the qualifications the independent auditor needs to possess, the timing of the audit, how any deficiencies will be resolved, and how this will be communicated to the necessary outside parties.

Last year, RPS mentioned that it was planning to establish an Audit Committee, separate from its existing Business Committee. SCCOE has received verbal confirmation from RPS of the existence of such a committee. However, it is not entirely clear in the Petition if the division of authority and duties between the Audit Committee and the Business Committee has been established, which SCCOE Staff recommends be clarified in writing from RPS or could be included in the addendum to the MOU. If applicable, RPS shall comply with all requirements of the Uniform Supervision of Trustees for Charitable Purposes Act (Gov. Code § 12580 et seq.) including, but not limited to, the requirements thereunder governing audit committees.
The Charter Schools Department Staff believes this section includes a reasonably comprehensive description, except as it concerns the respective roles of the Audit Committee and Business Committee which should be clarified in writing by RPS.

J. **Element Ten: Student Suspension/Expulsion Procedures**

RRS’s Charter sets forth its comprehensive suspension and expulsion policies and procedures which have been updated for the most part to reflect current law.

As of January 1, 2020, Education Code Section 48901.1 specifies that throughout RRS’s renewal term no charter school student in kindergarten through eighth grade may be suspended and no student in kindergarten through twelfth grade may be expelled on the basis of having disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. The renewal Petition has been updated consistent with this change in law. Yet RRS’s Student/Parent Handbook, posted on its website, still impermissibly provides for suspension for such violations for grades four and above and for expulsion for grades six and above. RRS’s Student/Parent Handbook (and all RPS handbooks), and any other means by which RRS communicates its student discipline policies, must be revised to incorporate corresponding revisions not only to reflect this change to the law and other provisions specific to student discipline, but to be consistent with all terms of the Charter, MOU and addendum to the MOU. SCCOE Staff recommends that as a condition of renewal, RRS be required to review and update its Student/Parent Handbook, any employee handbook, and any other policies and procedures to ensure consistency with the terms of renewal, including the Charter, MOU, and addendum to the MOU. RPS should also be encouraged to update these documents Network-wide, and to ensure that such documents for all of its SCCBOE-approved charters are consistent with the terms of their respective charters, memoranda of understanding, and any addenda thereto.

These policies and procedures, as clarified through the terms of the MOU and with the necessary changes to the Student/Parent Handbook to comply with Education Code Section 48901.1, are consistent with SCCOE’s usual practices and are consistent with this portion of the Charter Schools Act.

The Charter Schools Department Staff believes this section, as supplemented by the MOU and addendum to the MOU, includes a reasonably comprehensive description, provided that all forms of the student discipline policy, including the Student/Parent Handbook, are revised to comply with Education Code Section 48901.1, the Charter, the MOU, and the addendum to the MOU.

K. **Element Eleven: Employee Retirement System**

The RRS Charter states all full-time employees of RPS will participate in a qualified retirement plan and all full-time employees will be offered a 403(b) program. However, in the financial projections, the 403(b) match was eliminated for 2020-21 and reinstated for and beyond 2021-22. The Charter additionally states all eligible employees will also participate in the State Teachers’ Retirement System (“STRS”), and all other employees will participate in the federal social security system. Rocketship employees may have access to additional Rocketship-sponsored retirement plans according to policies developed by the
board of directors and adopted as Rocketship employee policies. RPS has designated a position as the retirement system manager.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description.

I. **Element Twelve: Public School Attendance Alternatives**

The Charter specifies that no student may be required to attend RRS. Students who reside within FMSD who choose not to attend RRS may attend other district schools or pursue an intra- or inter-district transfer in accordance with existing district enrollment and transfer policies. Parents and guardians of each student enrolled in RRS will be informed on admissions forms that students have no right to admission to a particular school of any local education agency as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local education agency.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description.

M. **Element Thirteen: Description of the Rights of An Employee of the County Office of Education, Upon Leaving the Employment of the County Office of Education, to be Employed by the Charter School**

Upon appeal to the County Board of Education, RRS should have updated this element of the Charter to address the rights of employees of the County Superintendent of Schools who choose to leave the employment of the County Superintendent to work at the Charter School, and any rights of return to the County Superintendent’s employment after employment at the Charter School. RRS did not update this element of the Charter at that time or in the renewal Petition. Consequently, all references in the Charter continue to refer to employment by a “public school district” and “rights of district employees.”

Therefore, this entire element must be updated to reflect the County Board as the authorizer and the County Superintendent of Schools as the employer of all employees at SCCOE. This update can be accomplished through the addendum to the MOU. Overall, the discussion in this element is complete if it is updated to reflect the correct entity and employer.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description only if it is updated through the addendum to the MOU description.

N. **Element Fourteen: Dispute Resolution**

RRS includes a proposed dispute resolution procedure in the Petition. However, RRS cannot bind the County to any dispute resolution process to which it did not agree. As part of the SCCOE standards of excellence contained in the MOU, RRS has now agreed to the dispute resolution process set forth in the MOU, which entirely replaces the language proposed in the Charter.

The Charter Schools Department Staff believes this section as updated through the MOU includes a reasonably comprehensive description.
O. **Element Fifteen: Closure Protocol**

RRS outlines an adequate process to be used if the charter school closes. Once documented as official action by RPS Board, there is a process addressing notification of all entities, and to ensure smooth transition of students/records to suitable alternative programs. RRS will provide a final audit by the State Controller approved audit firm and plans for disposition of assets and liabilities and transfer of public records within six months after closure. On closure the school shall remain solely responsible for all liabilities arising from the operation of the school. As a non-profit public benefit corporation, the school board will follow the California Corporation Code should it dissolve the corporate entity and submit all necessary filings with appropriate state and federal agencies. As part of the SCCOE standards of excellence contained in the MOU, RRS has now agreed to updated and supplementary closure procedures described in the MOU, and in the case of a discrepancy between the MOU and Charter closing procedures, the MOU will prevail.

The Charter Schools Department Staff believes this section, as supplemented and updated through the MOU, includes a reasonably comprehensive description.

**Required Supplemental Information**

SCCOE Staff reviewed RRS’s Petition, which includes the Budget Narrative and Budget (Fiscal Years (FY) 2020-21 through 2023-24 as requested). Staff has also reviewed additional information from documents and interviews to provide clarification on financial position. This included meeting with the RRS Staff, and Board and reviewing Financial Audits, monthly financial statements, mandatory financial reports, annual visits, and the Fiscal Crisis Management Assessment Team (FCMAT) Local Control Funding Formula (LCFF) Calculator which was re-created by SCCOE Staff to recalculate the LCFF Revenue sources reported on the Petition.

**Enrollment & Average Daily Attendance (ADA)**

RRS projected budget for FY 2020-21 through 2023-24 anticipates steady enrollment from 624 students in FY 2020-21 to 623 FY 2023-24. RRS reported an Average Daily Attendance (ADA) of 594 for Period Annual (P-Annual) FY 2019-20. Based on historical data analysis RRS projects ADA percentage of 93%-95%. RRS anticipates ADA of 593 for FY 2020-21 and 592 thereafter. Enrollment and attrition rates appear to be reasonable.

**Table 11: RRS Historical and Projected Enrollment/ADA Data**

<table>
<thead>
<tr>
<th></th>
<th>Historical Data</th>
<th>Enrollment/ADA Projections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Actual Enrollment</td>
<td>561</td>
<td>631</td>
</tr>
<tr>
<td>Projected Enrollment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ADA*</td>
<td>530</td>
<td>588</td>
</tr>
<tr>
<td>ADA%</td>
<td>94%</td>
<td>93%</td>
</tr>
</tbody>
</table>

*Historical ADA data based on P-Annual*


Revenues & Expenses

Table 12: RRS Revenue and Expense Projections

<table>
<thead>
<tr>
<th></th>
<th>2020-21</th>
<th>2021-22</th>
<th>2022-23</th>
<th>2023-24</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Beginning balance</td>
<td>3,515,574</td>
<td>4,087,802</td>
<td>4,618,701</td>
<td>5,680,552</td>
</tr>
<tr>
<td>B. Revenues</td>
<td>7,683,251</td>
<td>7,674,197</td>
<td>8,921,365</td>
<td>8,921,365</td>
</tr>
<tr>
<td>C. Expenses</td>
<td>7,111,023</td>
<td>7,143,298</td>
<td>7,859,514</td>
<td>8,081,406</td>
</tr>
<tr>
<td>D. Surplus/Deficit (B-C)</td>
<td>572,228</td>
<td>530,899</td>
<td>1,061,851</td>
<td>839,959</td>
</tr>
<tr>
<td>E. Ending balance (A+D)</td>
<td>4,087,802</td>
<td>4,618,701</td>
<td>5,680,552</td>
<td>6,520,511</td>
</tr>
</tbody>
</table>

RRS presents a balanced five-year budget for FYs 2020-21 through 2023-24 with detailed reasonable revenue and expenditure projections addressing major anticipated sources of revenue including state, federal and local. Expenses include staffing, benefits, professional development, facility costs, materials, equipment and other operating expenses. RRS is conservative in its revenue and expense projections. Spending plans align with projected revenues. Staffing financial projections appear to be reasonable. The projected expenditure costs seem to be accurately stated and demonstrate satisfactory ability to meet RRS’s financial obligations.

Chart 4: RRS Projected Average Expenses for the Renewal Term Years

Fiscal Staff is not aware of any significant financial concerns for RRS.
**Cash Flow**

RRS’s cash flow closely aligns with all financial documents including bank statements and reconciliation reports. In the event there is an unforeseen financial crisis, RRS’s reserves should adequately suffice during an emergency.

RRS’s petition provides reasonable cash flow projections and assumptions pertaining to cash flow timings for major revenue sources required for financial solvency and sustainability. Multiyear cash flow projections show that RRS will be positive. As of June 30, 2019, RRS had an audited cash balance of 22%. In the event there is an unforeseen financial crisis, RPS and RRS’s reserves should adequately suffice unfavorable budget variances.

As discussed in the Finances section above, SCCOE has requested that RPS provide monthly bank statements and reconciliations, with which RPS has complied; however, these bank statements/reconciliations are not school specific. While SCCOE is certain that RPS as a whole is fiscally sound, consolidated statements make it difficult to provide school-specific monthly financial analysis. As previously noted, as a condition of renewal, SCCOE Staff recommends that RRS be required in the addendum to the MOU to provide a monthly site level general ledger or equivalent report.

**Potential Civil Liability Effects on the School and County Office**

RRS is in compliance with its current MOU, other than the requirements for maintaining and providing SCCOE separate site-level financial records, described above, which SCCOE Staff recommends be addressed through the addendum to the MOU. There is no reason to believe that RRS will not continue to abide by SCCOE’s requirements and the agreed upon MOU and any addendum thereto, including the insurance and indemnification provisions thereof. There is currently no pending litigation or other liability concerns with RRS.

5. **Exclusive Public Employer**

As required by the Charter Schools Act, the Charter specifies that RPS 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**

RRS currently serves TK-4. It is located in FMSD and sets forth specific requirements for its facility needs. RRS is located at 3167 Senter Road in San Jose, CA.

The Charter Schools Department Staff found that 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**

Since RRS’s Charter was initially approved, a number of new laws have gone into effect, including AB 1505, AB 1507, AB 1219, SB 126, SB 820, and SB 89, which enact broad changes to the Charter Schools Act. RRS will need to comply with the changes to the law. The Charter, along with the MOU and terms of an addendum to the MOU as described above, indicate that RRS will so comply.
CONCLUSION

The Charter Schools Department Staff reviewed the renewal Petition for RRS utilizing the criteria for charter approval set forth in Education Code Sections 47605, 47607 and 47607.2.

It is the recommendation of the Charter Schools Department Staff that the RRS Charter be renewed on the conditions that RRS and RPS enter into an Addendum to the MOU to address Staff’s concerns, including those specifically reviewed in the Staff Analysis and Proposed Findings of Fact, and the other conditions specified in the proposed Board Resolution, as well as any additional conditions identified by the SCCBOE, and adopt the Board Resolution Conditionally Approving the Charter Renewal for Rocketship Rising Stars Charter School, and, Alternatively, Making Written Factual Findings Supporting Denial and Denying the Rocketship Rising Stars Charter School Charter Renewal if the Conditions Are Not Met, for the period of July 1, 2021, through June 30, 2026.

Student Impact

The Charter School office provides oversight and monitoring for 22 County Board of Education authorized charter schools. RRS was authorized in 2015 and currently serves approximately 600 students.