

STOCKTON UNIFIED SCHOOL DISTRICT

STAFF REPORT, PROPOSED FINDINGS OF FACT & RECOMMENDATION ON UNBOUND STOCKTON COMMUNITY SCHOOL

Date Posted: August 7, 2023

The following provides a summary of the Stockton Unified School District's ("District") staff report, proposed findings of fact, and recommendation concerning the Unbound Stockton Community School charter petition ("Petition").

Introduction and Applicable Timelines

On June 1, 2023, the petitioners ("Petitioners") submitted the Petition to establish the Unbound Stockton Community School ("Unbound" or "Charter School"), along with a signed certification by Phillip Hon, Lead Petitioner, deeming the Petition to be complete. Petitioners seek the approval of the Petition by the District's Board of Trustees ("Board") for an initial five-year term commencing on July 1, 2024 and ending on June 30, 2029.

The Petition proposes the establishment of a classroom-based program for students in fourth through eighth grade. The Petition indicates that the Charter School would begin its first year of operations serving approximately 120 students in grades 4 through 6 and then gradually expand by one grade level each school year. At full buildout, Petitioners anticipate serving approximately 300 students in grades 4 through 8.

As required by law, on July 25, 2023, the District's Board held a public hearing to determine the level of support for the Petition by teachers, other District employees, and parents/guardians. Members of the public spoke both in favor of and in opposition to the Petition.

On August 22, 2023, consistent with Education Code section 47605, the District's Board will hold a second public hearing on the Petition, during which it will consider the admissions preferences in the Petition and will take action to either approve or deny the Petition.

Procedural History

This Petition represents the second effort of the Petitioners to establish a Charter School. For context, on May 26, 2022, the District received a petition from Petitioners to form a Charter School for an initial term of July 1, 2023 through June 30, 2028. On July 12, 2022, the District's Board conducted a public hearing on that petition, as required by Education Code section 47605(b) to consider the level of support for the petition. Subsequently, at its August 23, 2022 meeting, the Board convened a second public hearing during which it adopted written findings of fact to deny the petition. In summary, the District Board denied that initial petition on the following grounds:

- ***Petitioners were demonstrably unlikely to successfully implement the program set forth in the petition.*** (Educ. Code § 47605(c)(2).) This finding was based on concerns related to enrollment projections, financial reserves, underestimation of operating expenses, lack of

identified facility/proposed lease agreement/quotes/comparable market rates/facility cost assumptions, lack of familiarity with Proposition 39, and failure to substantiate facilities costs in the proposed budget.

- ***The petition failed to contain a reasonably comprehensive description of all required elements set forth in Education Code section 47605(c).*** This included a finding that the required elements Educational Program, Balance of Student Subgroups, and Admissions Requirements were not met.
- ***The Charter School was demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate (i.e., the “Community Impact” finding).*** (Educ. Code § 47605(c)(7).) This finding was based on duplication of established district programs and other charter schools already operating within the District while such schools and programs are not at capacity, and that approval of the petition would have a negative fiscal impact on the District.

On or about September 2, 2022, Petitioners appealed the denial of the petition to the San Joaquin County Board of Education (“County Board”). On October 19, 2022, the County Board held the first public hearing on the petition appeal in accordance with the Education Code. Following receipt of a 30-day extension of the applicable timeline, on December 21, 2022, the County Board held a second public hearing on the petition during which it adopted the County Office’s staff analysis, findings of fact, and recommendation to deny the appeal. In summary, the County Board denied the petition based on the following legal grounds:

- ***The petition presented an unsound educational program for the students to be enrolled in the charter school*** (inadequate staffing plans and expectations of teachers that are extensive and burdensome, inadequate/inaccurate description of requirements for serving English Learner students, and concerns related to compliance with special education laws and serving students with special needs).
- ***The petitioners were demonstrably unlikely to successfully implement the program set forth in the petition*** (concerns related to the educational program, omissions of required charter elements, fiscal, budget, and operational concerns, and concern that petitioners were taking a position to limit the requirements for materially revising its charter).
- ***The petition did not contain a reasonably comprehensive description of all required elements*** (Educational Program; Governance; Employee Qualifications; Health and Safety Procedures; Balance of Student Subgroups; Admissions Policy and Procedures; Student Suspension/Expulsion Procedures; Dispute Resolution; and Closure Protocols).

Petitioners accordingly submitted the current Petition to the District on June 1, 2023, which reflects various revisions to the original petition. To that end, District staff, in consultation with legal counsel, conducted an extensive analysis of the Petition, its accompanying exhibits, and the extent to which the Petition addressed and/or resolved the specific findings of fact adopted by the District’s Board as well as the County Board in the prior submission of the petition to establish the Charter School.

Based on the District's comprehensive review of the Petition and supporting documents, District staff recommends that the Board take action during the second public hearing to **deny** the Petition.

Legal Requirements for the Establishment of a Charter School

The consideration of a petition to establish a charter school requires the District to determine whether the petition meets the standards and criteria set forth in Education Code section 47605. Specifically, under Education Code section 47605(c), in reviewing petitions for the establishment of charter schools, the governing board of a school district shall grant a charter for the operation of a charter school if it is satisfied that approving the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The governing board shall also consider the academic needs of the students that the charter school proposes to serve.

The governing board of the school district shall not deny a petition unless it makes written factual findings specific to the particular petition, setting forth specific facts to support one or more of the following denial findings:

1. The charter school presents an unsound educational program for the students 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 the number of signatures required by subdivision (a) of Education Code section 47605.
4. The petition does not contain an affirmation of each of the required conditions.
5. The petition does not contain reasonably comprehensive descriptions of all required elements.
6. The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act.
7. The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.
8. The school district is not positioned to absorb the fiscal impact of the proposed charter school.

An analysis of the Petition in light of the applicable statutory criteria is provided below and includes District staff's corresponding findings of fact.

Findings of Fact

The District’s review team performed a comprehensive evaluation of the Petition, which included an analysis of the proposed Charter School’s educational program, measurable student outcomes, and methods for measuring student progress, fiscal and governance structures, employee qualifications, student admissions, facilities, and legal issues. Below, District staff presents its findings of fact addressing the general categories of review for the Petition, which correspond with the criteria set out in Education Code section 47605.

Finding of Fact No. 1: The Petitioners are demonstrably unlikely to successfully implement the program.

Below, the District has broken down the specific findings indicating that the Petitioners are demonstrably unlikely to successfully implement the proposed Charter School Program.

A. Concerns Related to the Target Student Population/Balance of Student Subgroups.

One of the overarching issues addressed in the findings of fact adopted by the District Board and County Board, respectively, to deny the first petition to establish the Charter School concerned the target student population and proposed grade level span. However, neither of these issues were meaningfully addressed or resolved in the current Petition under review.

The Charter Schools Act of 1992 (Educ. Code § 47600 *et seq.*) expressly states that it was the intent of the California Legislature to establish charter schools as a method to increase learning opportunities for students, with special emphasis on expanded learning experiences for students who are identified as academically low achieving. (Educ. Code § 47601(c).) In an effort to effectuate that intent, charter petitioners are required to articulate how they will strive for a student demographic profile that is reflective of the general population of students residing within the territorial jurisdiction of the school district in which the petition is submitted.

Despite the detailed findings adopted by the District and County Boards that reflected serious concerns regarding the targeted student composition of the proposed Charter School, Petitioners have not altered their initial design of specifically and intentionally recruiting students outside of the District’s boundaries. Just as in the first petition submission in 2022, this Petition contemplates that the Charter School will draw students from several districts across the City of Stockton, including Stockton Unified School District, Lodi Unified School District, Lincoln Unified School District, and Manteca Unified School District. Petitioners confirm that they expect only sixty percent (60%) of the Charter School’s total enrollment to be students residing within the District’s boundaries, which is inclusive of students who are currently homeschooled or attending independent schools.

The chosen recruitment and enrollment objectives not only fail to meet the specific requirement in the Education Code that the Charter School demonstrate the means by which the Charter School *will achieve* a balance of student groups reflecting of the general population of students residing within the District, but it is inimical to the express legislative intent for the creation of charter schools—to distinctly target and serve a population of students who are identified as academically low achieving.

The Petitioners state that the projected percentage of students with disabilities to be enrolled in the Charter School is anticipated to be higher than that of the District’s percentage (13% and 12.7%, respectively). However, the projected enrollment percentages of English Learners, socioeconomically-disadvantaged, and Hispanic/Latino students continues to be lower than the District’s corresponding percentages due to the lower percentages of these student groups in the other districts from which the Petitioners intentionally seek to draw students. Consequently, this results in a student population with less diversity. The following chart provides a general breakdown of these percentages disaggregated by student groups:

Student Group	Stockton Unified	Charter School
Hispanic/Latino	68.7	60
White	4.5	7
Black/African American	9.4	11
Asian/Filipino/Pacific Islander	13.2	17
Two or More Races	4.2	5
English Learner	24.6	20.9
Low Socioeconomically-Disadvantaged	83.9	76.6
Students with Disabilities	12.7	13

While the District finds its commendable that Petitioners seek to enroll a population of students with disabilities that is commensurate with the District’s percentage of students in this group, Petitioners still fail to address the more significant discrepancies in the student group percentages. This reflects a lack of commitment to, or understanding of, the Charter School’s statutory obligation and the District’s expectation that the Charter School strive to attract a diverse student body that is reflective of the student demographics within the District’s boundaries.

Further, the Petitioners’ targeted grade span remains unaltered from the original petition. Petitioners intend to target an untraditional grade level span of students in fourth through eighth grade. Elkhorn Elementary School, located within Lodi Unified School District, is the only school in San Joaquin County that serves this distinct grade range. However, it is important to note that Elkhorn is a Gifted and Talented Education Program school (i.e., an all-GATE school). Because GATE testing typically occurs in third grade, the school is designed to be a logical transition for students who test into, and become eligible for, the GATE program beginning in the fourth grade. Here, the Petition describes certain outreach efforts that will be implemented to attract the target population; however, the Petition fails to explain why or how families of incoming fourth graders will be inclined to remove their students from their current educational programming. A more natural transition would occur after fifth or sixth grade when the students would be matriculating to middle school.

For these reasons, the Petitioners are demonstrably unlikely to successfully implement the proposed program based on the failure to resolve the significant concerns around the target student population, intent and ability to achieve a diversity of students that is reflective of that of the District, and the proposed untraditional grade level offerings which could compromise the Charter School’s ability to meet its enrollment projections.

B. Staffing, Professional Development, and Operational Concerns

Hiring and retaining qualified teaching staff is vital to successful implementation of the Charter School's proposed educational program. However, as the County Board acknowledged in the original petition, the staffing plan imposes unreasonable demands on staff—particularly extensive professional development hour requirements—that could jeopardize or undermine the Charter School's ability to hire qualified teaching staff. This is further exacerbated by the statewide teacher shortage that is negatively impacting educational institutions. For example, the Charter School states that it will require new teaching staff to attend ten (10) full days of summer training, while returning staff are required to attend five (5) full days. The Petition also proposes 50 minutes of weekly professional development for teaching staff, 180 minutes of collaborative teacher meeting time each week, and 150 minutes of individual planning time each week. (See Petition, p. 17.) While the Petitioners reduced the total number of professional development days that would be required of new and returning teaching staff, taken together, the amount of professional development time and the weekly collaboration, individual planning, and time communicating with families is still significant and could dissuade interested teachers from seeking employment at the Charter School.

In addition, the Petitioners increased teacher salaries to an estimated \$72,000 (as compared to \$65,000 budgeted in the original petition) and a five percent (5%) increase each year to accommodate cost-of-living and step-and-column increases. However, given the extensive, additional time commitment that the Charter School would require of teachers, the Charter School could face challenges attempting to hire teaching staff with the necessary background and experience to serve its student population as the increase does not appear to meaningfully make up for the mandatory work time requirements when compared with those of surrounding districts.

Further, there are broader issues with planning and staffing requirements that could lead to a failure to successfully implement the educational program. The "Student Success Manager" does not onboard until year 3 of the charter term, and this position is specifically designed to manage the Multi-Tiered System of Support ("MTSS") process to ensure every student receives the required supports and services. This position also oversees programming related to special education, English Learner instruction, Response to Intervention ("RtI"), and accelerated learning. Prior to year 3, the School Director is identified as the employee responsible for implementing these duties. Such responsibilities would be in addition to the School Director's high-level strategic planning and decision-making responsibilities and lead role in overseeing operations, curriculum, staffing, MTSS planning, special education, student services, and development of the Local Control and Accountability Plan ("LCAP"). While the Charter School intends to onboard additional candidates to support and implement these roles, it is not realistic to expect the School Director to cover all of these responsibilities until new, dedicated positions are hired years into the Charter School's operations. (See p. 248 of the Petition.)

Beyond these staffing concerns, as designed, the program does not appear to meaningfully accommodate the diverse (and individualized) needs of enrolled students with disabilities who may require more than forty five minutes, four days per week of specialized academic instruction and services nor does the program appear to afford sufficient time to ensure access to necessary supports and services for those dual identified students, including English Language Development

(ELD). Specifically, the inflexible forty five (45) minutes of Affinity Learning Time provided to students in the submitted schedules appears to be the only time allocated for each and every type of academic intervention, support and/or service, including but not limited to special education and English Language Development, which, from a special education perspective, would appear to conflict with the concept of individualized education programs.

C. Financial Concerns

The Petition anticipates and sets revenue projections on an enrollment of 120 students in Year One. To that end, the Petition provides that its student to teacher ratio (inclusive of both credentialed teachers and uncredentialed Associate Teachers) will be 20 to 1. (See Petition, p. 17.) However, this staffing ratio does not align with the submitted budget which only provides for staffing of two (2) Humanities Teachers, two (2) STEM Teachers, and one (1) Associate Teacher in Year One, which would reflect a ratio of 24 to 1. Similarly, in Year Three, the Petition provides for staffing of four (4) Humanities Teachers, four (4) STEM Teachers, and three (3) Associate Teachers for a projected enrollment of 240 students, which reflects a ratio of nearly 22 to 1. This suggests a tacit acknowledgement that the enrollment projections are overestimated and will not be fully realized. (See Budget Files, including Payroll and Budget Narrative.)

In addition, the funds budgeted for Associate Teachers, individuals without teaching credentials who are identified throughout the Petition as critical to the success of the program and who the Charter School would like to develop into credentialed teacher candidates in the future, also appear to be unrealistically low and not competitive with district employment which comes with guaranteed participation in the statewide classified employee pension system (CalPERS) particularly given that work year and daily hours required by the program identified in the Petition and limited benefit contribution as compared to fringe benefits offered by SUSD.

It also appears as though the Charter School's ADA projection at 95% is too high and not reflective of the actual attendance rates documented within the targeted student population, regardless of the targeted student's district of residence. This ADA inflation results in an overestimation of anticipated revenues which, if not realized, will negatively impact the resulting resources available for other itemized and necessary expenses, including most notably the embedded increases to staff compensation, retirement contributions, and employee fringe benefits.

Similarly, the projected enrollment and unmitigated growth projections, remain unrealistic. Particularly in the first year of operation, as previously noted by staff in connection with the original petition, the Petition's estimated enrollment is high, and does not adequately recognize the challenges associated with pulling students established at their current schools and connected with their teachers after the third grade. The non-traditional grade span will also likely result in families being split amongst multiple elementary schools and further challenge enrollment and attendance projections.

The unmitigated growth to full enrollment of 300 students in the 2027-2028 school year is also unrealistic given the local and statewide enrollment declines experienced since the pandemic. The Petition does not take into account any attrition and appears to assume that it will, at all times, be at full projected enrollment. However, it appears unlikely that given its non-traditional grade span,

that students leaving the school after initial enrollment, will be replaced by new students from waiting lists in the later grades (fifth through eighth grades), particularly in seventh and eighth grades, where their enrollment would only be for a short time period.

For these reasons, District staff has determined that the Petitioners are demonstrably unlikely to successfully implement the proposed charter program.

Finding of Fact No. 3: The Petition contains the required number of signatures.

The Petition states that the Charter School expects to enroll approximately 120 students and hire five teachers in its first year of operation. Therefore, at least three signatures are required from teachers who are meaningfully interested in teaching at the Charter School or there must be at least 60 parent/guardian signatures who are meaningfully interested in enrolling their grade level-eligible students in the Charter School.

The District has evaluated the teacher signatures submitted with the Petition and has determined that this element was met.

Finding of Fact No. 4: The Petition contains an affirmation of each of the required conditions.

The Petition includes all required affirmations and assurances of the required conditions.

Finding of Fact No. 5: The Petition does not provide reasonably comprehensive descriptions of the required elements set forth in Education Code section 47605.

Based on an analysis of the Petition by the District's review team, the Petition lacks reasonably comprehensive descriptions of several of the required elements set forth in Education Code section 47605. The District has identified the deficient items as follows:

- A. Educational Program.** The design of the proposed educational program in the Petition is flawed and inconsistent with applicable legal requirements as it relates to the demographic makeup of the Charter School's anticipated student population. The District hereby incorporates by reference the findings set forth in Finding of Fact No. 1 (Subsection A) as though fully set forth herein.
- B. Health and Safety Procedures.** The description of the health and safety procedures in the Petition is generally comprehensive. However, the Petition does not provide an assurance that the Charter School will notify students and parents/guardians no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, or both, in the manner consistent with the requirements of Education Code section 49428. This is particularly critical given the influx in social-emotional and mental health needs of students generally since the COVID-19 pandemic.
- C. Student Population Balance.** The Petition does not adequately address the means by which the Charter School will achieve a balance of students from different subgroups that is reflective of the general population residing within the territorial jurisdiction of the District.

The District hereby incorporates by reference the findings set forth in Finding of Fact No. 1 (Subsection A) as though fully set forth herein.

- D. Admissions & Lottery Procedures.** The Petition includes admissions and lottery procedures, but the procedures are not reasonably comprehensive. As detailed above, Petitioners seek to target students beyond the District’s boundaries and within the adjacent districts of Lodi Unified School District, Manteca Unified School District, and Lincoln Unified School District. However, the admissions preferences articulated in the Petition do not refer to students residing within these three adjacent districts. Therefore, it is unclear how the Petitioners intend to draw the percentage of students from each of the districts that is described in the Petition without any admissions preference being extended to those students. This was a distinct finding that was raised by the County Board in 2022, yet Petitioners did not revise or otherwise sufficiently clarify why it decided to leave the enumerated admissions preference unaltered.

Further, as in the original petition, the description in the current Petition regarding the admission of siblings of enrolled students is confusing. The Petition states that siblings of current Charter School students who successfully completed an on-time, submitted application would be placed into a separate lottery. The Petition clarifies that the “sibling” lottery is drawn first, then the “child of a staff or board member lottery,” and then the remainder of the applicants. However, there could be challenges with this proposed structure due to conflicting descriptions of the lottery process. For instance, siblings of current Charter School students are purported to be placed into a separate lottery container, however, further discussion regarding the lottery process references that some siblings will remain in their original grade level pool. These details are unclear and not meaningfully described in the Petition to ensure consistency and fairness in the lottery procedures.

The omission of this information limits the District’s ability to evaluate whether the admissions procedures are legally-compliant and ensure equity and access to all students who may be interested in enrolling in the Charter School.

- E. Student Discipline Procedures.** As in the original petition, the current Petition does not define the term “suspension.” The Petition notes that in-school suspension may be served within a student’s general classroom or, “if the general classroom setting is not appropriate under the circumstances, in a separate space with constant supervision,” but does not discuss standards of review for such circumstances. The Petition needs to define what “suspension” means, determine the procedures by which the Charter School determines whether suspension will take place in the student’s general classroom or in a separate space, and identify which “separate spaces” will be used for in-school suspensions.

Finding of Fact No. 6: The Petition includes a declaration of whether or not the Charter School shall be deemed the exclusive public school employer of the employees of the Charter School.

The Petition confirms that the Charter School shall serve as the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act.

Finding of Fact No. 7: The Charter School is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.

Education Code section 47605(c)(7) identifies the following grounds for denial of a charter petition:

The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the following factors:

- (A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.
- (B) Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

Based on the following findings, the Petitioners are demonstrably unlikely to serve the interests of the entire community in which the Charter School is proposing to locate:

As noted by staff in its analysis and findings prepared in connection with the original petition, the program proposed in the Petition still maintains significant duplication with schools (including charter schools) already operating within SUSD. The comparative program analysis of the Petition’s “Mission, Key Pillars and Core Values” against a sample of SUSD elementary schools reveals that all elements of the Unbound Stockton model are already present in existing SUSD schools.

And again, the Petition’s focus on school community, equity, lifelong learning, and self-awareness are present features in all sampled SUSD primary schools. Furthermore, the Petition’s instructional focus and strategies identified in pages 116-120 are all existing features of SUSD’s instructional program. (See Petition, pp. 49-53, 116-120.)

Similar School	Neighboring Zip Code	Grades Served	Mission	Key Pillars	Core Values
George Washington Elementary	95203	K-8	George Washington school creates a challenging learning environment that promotes high standards using Common Core instruction. Lifelong learning skills are fostered through technology and research-based instructional strategies including the AVID College Readiness System. George Washington School encourages sportsmanship, school spirit, and pride through daily goals and educational accomplishments. We urge parents and community members to actively participate in our student's learning and success.		

Cleveland Elementary	95204	K-8	The Cleveland School community provides a high level, standards based education ensuring all students achieve their full academic potential and become responsible, respectful citizens and leaders in a global society.	Our vision is to ensure that all students are college-, career-, and community ready and become life-long learners, striving for success	<ul style="list-style-type: none"> • Raise All Student Achievement • Ensure a Safe & Positive Environment • Effective Use of Direct Interactive Instruction (DII)
Grunsky Elementary	95205	K-8	At Grunsky Elementary, all teachers ensure high levels of learning for all students by working in professional learning communities to refine instructional practices to address the needs of our students.	Grunsky, in partnership with parents and the community, will establish foundational skills by providing a positive, safe, supportive school that encourages students to strive for academic, social and emotional excellence.	
Taft/Montessori Specialty School	95203	K-8	The mission of Taft Montessori Specialty School is to provide all students opportunities to receive a quality educational experience implementing the overarching philosophy and practices of Dr. Maria Montessori. The method of instruction may differ between the traditional classes and the Montessori Magnet classes; however, we intend to promote a clean, comfortable, and respectful atmosphere that encourages cultural and socioeconomic diversity by providing all students with the opportunity to obtain a quality public education. Taft's aim is to equip each student with the skills, knowledge, and motivation to respond to the ever-changing world of the 21 st century.	<ul style="list-style-type: none"> • Beginning at an early age, Montessori students develop order, coordination, concentration, and independence. • Students are part of a close, caring community. • Montessori students enjoy freedom within limits. • Students are supported in becoming active seekers of knowledge. • Self-correction and self-assessment are an integral part of the Montessori classroom approach. 	TAFT'S R.O.A.R. Principles R Responsible O Organized A Always Safe R Respectful

Unbound Stockton School	95202	4-8	At Unbound Stockton Community School, we work to understand ourselves and our role in the community. We develop the knowledge, skills, and experiences that allow us to choose how to unpack and undo the systems that have divided us and, by learning together, unlock the potential of an unbound community.	<p>Pillars</p> <p>Pillar #1: Intentionally Integrated Schools Provide Significant Learning Benefits</p> <p>Pillar #2: Focus on Deeper Learning and Enduring Success</p> <p>Pillar #3: Students Actively Engage with and Participate in Their Community</p>	<p>UNITE core values</p> <ul style="list-style-type: none"> • Understand Self: We act as our authentic selves, by knowing our authentic self. • Never Stop Growing: We know learning never ends, so we consistently try new things and challenge ourselves. • Include Others: We create safe and inclusive spaces; we know that, to achieve this, we must come together and show up for each other. • Take on Challenges: We believe in doing the selfwork to show up and to be ready to learn, grow, and create change. • Equity Requires Action: We work to create a more diverse, equitable, and inclusive learning community.
-------------------------	-------	-----	---	--	--

Moreover, due to declining enrollment, nearly all of the SUSD programs listed have additional capacity in the grade levels proposed to be served by the Charter School.

Based on the location Petitioners have identified as where the Charter School intends to be located, the Charter School will also likely undermine existing District programs providing services to some of its most vulnerable student populations. To this end, the Charter School would potentially pull enrollment from Spanos Elementary, Cleveland Elementary, and other school sites in the same zone area, resulting in not only a loss of funding for each school but a corresponding loss in staffing and thereby each school’s ability to provide the variety of programs currently being offered.

For example, both Spanos and Cleveland Elementary Schools are located in the same zone area in which the Charter School intends to locate. Both are designated Title I schools and potential loss of enrollment at these schools would not only reduce state (LCFF) funding but also critical federal (Title I) funding specifically designated for the site. This would necessarily result in reductions to targeted services for the school population as well as the variety of co-curricular and extra-curricular programs specifically designed to support the students, services, and programs at these schools, including but not limited to, Arts instruction and various school clubs (e.g. music, archery, cheerleading, mariachi, cooking, e-sports, and martial arts). The loss of enrollment could also potentially force closure of one or more schools or necessitate multiple grade level combination classrooms. This would be particularly detrimental for the students at Spanos, whose enrollment is overwhelmingly comprised of socioeconomically disadvantaged students (approximately 95%) with nearly half of its students designated English Learners, and which has been experiencing a decline in enrollment since the 2017-2018 school year.

In addition, Pittman Charter Elementary is also already located in the same zone area where the Charter School has indicated it intends to locate. As a specialty school designed to incorporate an embedded Dual Language Immersion program (K-8), the Charter School's location would potentially impact Pittman's enrollment were it to pull students who would otherwise attend Pittman and correspondingly the ongoing viability of this Spanish Language Diprogram, in an area where Spanish is the home language for a significant percentage of the student population.

Further, the District anticipates that the Charter School will also have significant challenges to its ability to fully staff the proposed Charter School with the necessary credentialed teachers and staff, particularly given the proposed salaries (as noted in the Financial Concerns above) when viewed in light of the longer work year and work day expectations for the general and special education classroom teachers as compared to SUSD as well as many other neighboring districts and charter schools. Staffing challenges will also most likely be exacerbated by the ongoing teacher and staff shortages throughout San Joaquin County and neighboring counties.

Thus, the District does not believe that the Charter School would serve the interests of the community where it proposes to locate.

Conclusion/Recommendation

Based on the above findings of fact, the District's review team has concluded that the Petition, as presented, **does not meet** the minimum legal standards under the Education Code to qualify for approval for the requested five-year term, beginning on July 1, 2024 through June 30, 2029.

For these reasons, and based on District staff's analysis of the above-described criteria for establishment of a charter school and the corresponding Findings of Fact Nos. 1-7, District staff recommends that the Board of Trustees take action to deny the Petition to establish the Unbound Stockton Community School.