



fresno county board of education

Trustee Area 1
Kimberly Tapscott-Munson

Trustee Area 2
Bryan Burton

Trustee Area 3
James Martinez

Trustee Area 4
Dr. Marcy Masumoto

Trustee Area 5
Dr. Allen Clyde

BEFORE THE FRESNO COUNTY BOARD OF EDUCATION FRESNO COUNTY, CALIFORNIA

In the Matter Regarding Approval of the
Kepler Neighborhood School Renewal
Charter Petition

RESOLUTION NO. 2021 - 08

WHEREAS, pursuant to Education Code ("EC") Sections 47607, the Fresno County Board of Education ("County Board"), on December 21, 2020, received a renewal charter petition ("Renewal Petition") seeking a five year term beginning July 1, 2021 and ending June 30, 2026, for the Kepler Neighborhood School ("KNS"); and

WHEREAS, KNS is currently authorized pursuant to a charter that had previously been granted by the County Board for the term of July 1, 2018 through June 30, 2021; and

WHEREAS, a committee ("Charter Committee") reviewed the Renewal Petition pursuant to the criteria established in EC Sections 47605, 47607, 47607.2, and other applicable statutes and regulations; and

WHEREAS, a public hearing on the Renewal Petition was conducted on February 18, 2021 at which time the County Board received and considered the level of support for the Renewal Petition; and

WHEREAS, the Charter Committee reviewed the Renewal Petition and submitted for the County Board's consideration a Committee Report regarding the Renewal Petition dated March 2, 2021 ("Committee Report"), which is attached as Exhibit 1, in which the Charter Committee recommends that the County Board adopt certain findings and approve the Renewal Petition subject to certain conditions set forth in the Committee Report (See Exhibit 1) and as set forth herein.

WHEREAS, the County Board has reviewed the Renewal Petition, including the supporting documentation and information; considered applicable provisions of the Education Code and regulations; and reviewed and considered the Committee Report, including analysis and recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Fresno County Board of Education as follows:

1. The County Board finds the above-listed recitals to be true and correct, and incorporates them herein by this reference.
2. The County Board hereby adopts the Committee Report (See Exhibit 1) which is incorporated herein in its entirety by this reference.
3. The County Board, having reviewed the Renewal Petition and considered the applicable requirements and criteria, makes the following factual findings specific to the Renewal Petition and incorporates the full Committee Report that is attached as Exhibit 1:

- 3.1 KNS is a low-performing charter school based on the criteria set forth in EC 47607.2(a). The County Board hereby adopts the factual findings and specific supporting facts set forth in Exhibit 1.
 - 3.2 KNS is taking meaningful steps to address the underlying cause or causes of low performance as reflected in a written plan adopted by the governing body of KNS. (EC 47607(a)(4)(A)). The County Board hereby adopts the factual findings and specific supporting facts set forth in Exhibit 1.
 - 3.3 There is clear and convincing evidence showing that KNS achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school. (EC 47607(a)(4)(B)(i)). The County Board hereby adopts the factual findings and specific supporting facts set forth in Exhibit 1.
4. The County Board, having reviewed the Renewal Petition and considered the applicable requirements and criteria, and the Committee Report, hereby approves the Renewal Petition for a term of two years (July 1, 2021 through June 30, 2023) subject to the following conditions:
 - 4.1 KNS shall enter into and execute a Memorandum of Understanding ("MOU") in the form and including the terms and conditions satisfactory to the County Board or designee that will govern the County Board's oversight of KNS, provide greater specificity regarding KNS's programs and operations, and address the conditions set forth in the Committee Report. The MOU shall be entered into and executed on or before April 15, 2021. Upon execution by KNS and the County Board, the MOU shall remain in full force and effect throughout the term of the charter. The charter shall include and incorporate the MOU and any documents and exhibits attached thereto, and the Renewal Petition and all attachments, appendices, and exhibits attached thereto. A violation of the MOU shall constitute a violation of the charter. If there is a conflict between any provisions of the Renewal Petition and any provisions of the MOU, the provisions of the MOU shall apply. The MOU shall be submitted to the County Board for approval.
 - 4.2 KNS shall comply with all obligations, including providing all required documentation and complying with all timelines and deadlines, set forth in the Action Plan which is attached as Attachment B to the Committee Report (Exhibit 1), and incorporated herein in its entirety by this reference ("Action Plan").
 - 4.3 KNS must appear before the County Board in February 2022 to provide an update on student performance and progress on the implementation of the Action Plan.
 - 4.4 KNS must administer annual CAASPP testing each year if the California State Board of Education approves the administration of testing.
 - 4.5 KNS must not submit its petition for renewal until Spring 2022 CAASPP testing results are available for public review.

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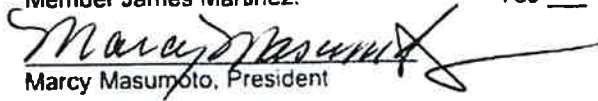
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- 4.6 As a condition of approval of the Renewal Petition, KNS must agree that any failure by KNS to comply with any provision of the Action Plan, including providing all required documentation and complying with all timelines and deadlines, or any failure to comply with any condition(s) stated in this resolution, shall constitute a material violation of the charter and shall become a ground for revocation of the charter pursuant to Education Code section 47607.


This Resolution is adopted by the Fresno County Board of Education at its meeting of March 18, 2021 by the following votes:

President Marcy Masumoto:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>
Vice President Kimberly Tapscott-Munson:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>
Member Bryan Burton:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>
Member Allen Clyde:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>
Member James Martinez:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>


Marcy Masumoto, President

CERTIFICATION

I am the Ex-Officio Secretary and Executive Officer of the Fresno County Board of Education and hereby certify that the foregoing resolution is the full, true, and correct resolution duly passed and adopted by the Fresno County Board of Education on the date stated above.

By: 
Jim A. Yovino, Fresno County Superintendent of Schools
Ex-Officio Secretary and Executive Officer of the
Fresno County Board of Education

Date: 3/18/21