



# Fresno County Superintendent of Schools

Dr. Michele Cantwell-Copher, Superintendent

**To:** Fresno County Board of Education

**From:** Fresno County Superintendent of Schools Charter School Petition Review Committee

**Subject:** Committee Report Regarding the Kepler Neighborhood School Charter Renewal Petition

**Date:** February 4, 2026

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The Fresno County Superintendent of School's (FCSS) Charter School Petition Review Committee (Charter Committee) has reviewed the Kepler Neighborhood School (Kepler) Renewal Charter Petition (Renewal Petition). This committee report provides a detailed discussion of the Charter Committee's review, concerns, and findings related to the Renewal Petition.

## I. BACKGROUND:

Lead petitioner Rickie Dhillon, Superintendent, is applying to the Fresno County Board of Education (FCBE) on behalf of Kepler to renew its charter school. The Renewal Petition, submitted to the FCBE on December 1, 2025, covers the period from July 1, 2026, through June 30, 2031. Each member of the FCBE has received a copy of the Renewal Petition and appendices. A public hearing was conducted on January 15, 2026. A comprehensive site visit was conducted during the review of the petition on January 14, 2026.

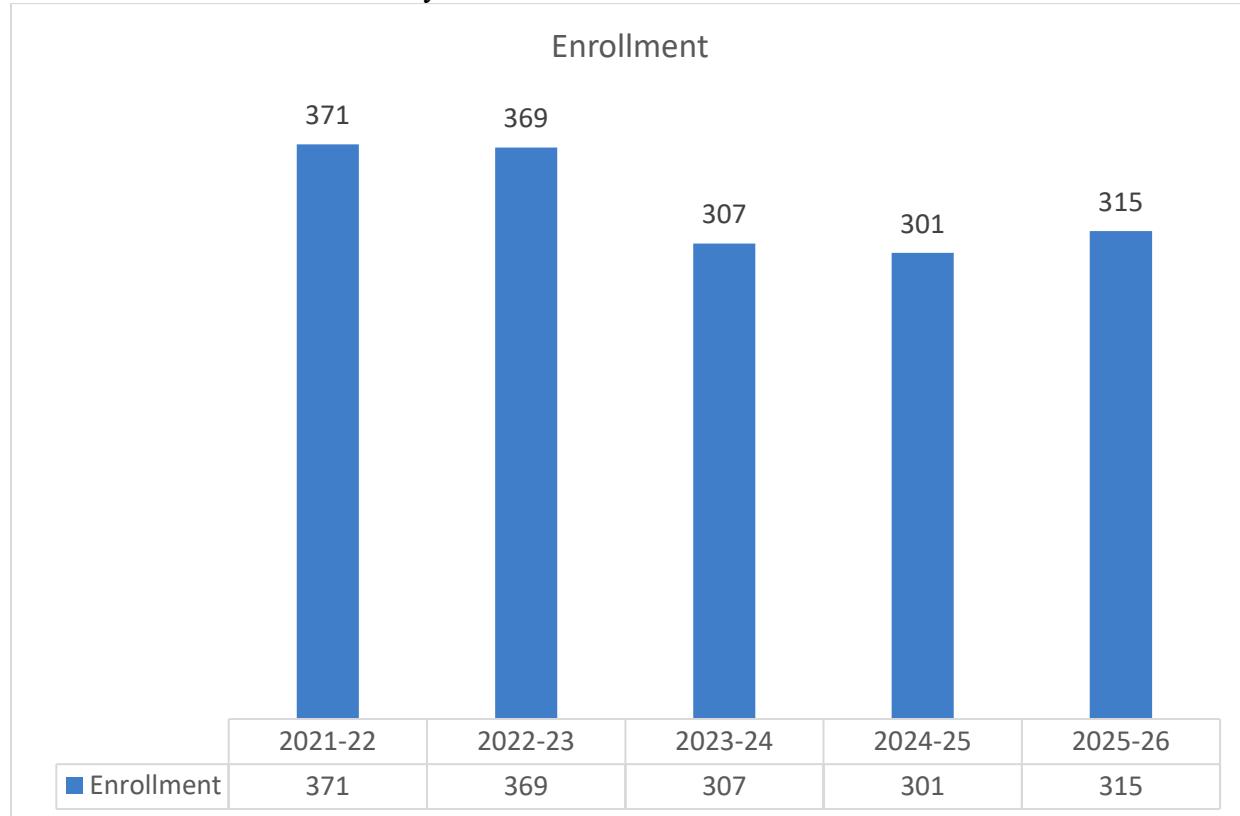
Kepler was originally authorized by the FCBE in 2018, on an appealed renewal petition from Fresno Unified School District and began serving students under FCBE authorization during the 2018-2019 school year. In 2021, due to Low Performing Status based on 2018 and 2019 Dashboard outcomes, the FCBE granted Kepler a two-year charter term through 2023. As a condition of this renewal, Kepler adopted and implemented a focused improvement plan to improve student outcomes for their Hispanic and Socio-economically Disadvantaged (SED) student groups. Due to charter term extensions codified in [EC 47607.4](#), the Kepler charter term was extended to June 30, 2026.

Kepler serves approximately 307 students in grades K-8 in a seat-based instructional program.

Kepler is located at 1462 Broadway St., Fresno, CA 93721, in downtown Fresno.

## Charter School Enrollment

### Multi-Year Enrollment Summary



### Multi-Year Summary by Ethnicity

Year	Total	African American	American Indian or Alaska Native	Asian	Hispanic or Latino	White	Two or More Races	Not Reported
25-26*	315	9.5%	0.3%	3.2%	66.7%	11.8%	7.0%	0.32%
24-25	301	11.6%	0.3%	3.7%	62.8%	15.0%	6.6%	0.0%
23-24	307	11.4%	1.3%	3.3%	63.8%	16.0%	3.6%	0.70%
22-23	369	11.9%	0.8%	1.6%	63.1%	14.4%	6.8%	1.40%
21-22	371	13.5%	0.8%	2.2%	60.9%	15.6%	6.5%	0.50%

\*Charter provided Census Day 2025-26 Enrollment



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### Multi-Year Summary by Student Group

Student Group	2021-22	2022-23	2023-2024	2024-25	2025-26*
English Learners	6.5%	7.5%	4.2%	7.0%	5.1%
Foster Youth	2.2%	0.3%	0.7%	1.3%	0.3%
Homeless Youth	4.0%	3.8%	3.6%	4.0%	0.6%
Migrant Education	0.0%	0.0%	0.0%	0.0%	0.00%
Students with Disabilities	10.2%	9.2%	11.4%	11.0%	9.5%
SED	76.3%	79.1%	72.3%	72.8%	80.6%
All Students	317	369	307	301	312

\*Charter provided Census Day 2025-26 Enrollment

### Fresno County Enrollment Comparisons (24-25)

Student Group	Kepler	Fresno USD	Clovis USD	Central USD
English Learners	7.0%	18.8%	4.7%	13.1%
Foster Youth	1.3%	0.8%	0.4%	1.0%
Homeless Youth	4.0%	0.8%	0.2%	0.5%
Migrant Education	0.0%	1.8%	0.1%	0.8%
Students with Disabilities	11.0%	14.7%	10.1%	11.4%
SED	72.8%	85.9%	47.0%	80.2%
All Students	301	71,151	43,669	15,962



## II. CHARTER RENEWAL CRITERIA

The Charter Committee reviewed the Kepler Renewal Petition against the applicable standards established in Education Code (EC) section 47605, 47607, and 47607.2 which establish the criteria for granting or denying charter renewals.

*47607(a)(2) A chartering authority may grant one or more subsequent renewals pursuant to subdivisions (b) and (c) and Section 47607.2. Notwithstanding subdivisions (b) and (c) and Section 47607.2, a chartering authority may deny renewal pursuant to subdivision [47607.2](e) [Fiscal, Governance, Not serving all students who wish to attend].*

*(3) A charter school that, concurrently with its renewal, proposes to expand operations to one or more additional sites or grade levels shall request a material revision to its charter. A material revision of the provisions of a charter petition may be made only with the approval of the chartering authority. A material revision of a charter is governed by the standards and criteria described in Section 47605.*

*(4) The findings of paragraphs (7) and (8) of subdivision (c) of Section 47605 shall not be used to deny a renewal of an existing charter school, but may be used to deny a proposed expansion constituting a material revision. For a material revision, analysis under paragraphs (7) and (8) of subdivision (c) of Section 47605 shall be limited to consideration only of the impact of the proposed material revision.*

*(5) The chartering authority may inspect or observe any part of the charter school at any time.*

*(b) Renewals and material revisions of charters are governed by the standards and criteria described in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.*

*(c) (1) As an additional criterion for determining whether to grant a charter renewal, the chartering authority shall consider the performance of the charter school on the state and local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.*

...

*(3) For purposes of this section and Section 47607.2, “measurements of academic performance” means indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 that are based on statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, the English Language Proficiency Assessments for California, or any successor system, and the college and career readiness indicator.*



- (4) For purposes of this section and Section 47607.2, “subgroup” means numerically significant pupil subgroups as defined in paragraph (1) of subdivision (a) of Section 52052.
- (5) To qualify for renewal under clause (i) of subparagraph (A) or (B) of paragraph (2), subparagraph (A) of paragraph (1) or (2) of subdivision (a) of Section 47607.2, or paragraph (3) of subdivision (a) of Section 47607.2, the charter school shall have schoolwide performance levels on at least two measurements of academic performance per year in each of the two consecutive years immediately preceding the renewal decision. To qualify for renewal under clause (ii) of subparagraph (A) or (B) of paragraph (2), subparagraph (B) of paragraph (1) or (2) of subdivision (a) of Section 47607.2, or paragraph (3) of subdivision (a) of Section 47607.2, the charter school shall have performance levels on at least two measurements of academic performance for at least two subgroups. A charter school without sufficient performance levels to meet these criteria shall be considered under subdivision (b) of Section 47607.2.
- (6) For purposes of this section and Section 47607.2, if the dashboard indicators are not yet available for the most recently completed academic year before renewal, the chartering authority shall consider verifiable data provided by the charter school related to the dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year.

**47607(d)(2)** When determining whether to grant a charter renewal, the chartering authority shall review data provided pursuant to paragraph (1), any data that may be provided to chartering authorities by the department, and any substantiated complaints that the charter school has not complied with subparagraph (J) of paragraph (5) of subdivision (c) of Section 47605 [suspensions or expulsions] or with subparagraph (J) of paragraph (5) of subdivision (b) of Section 47605.6 [suspensions or expulsions].

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



- (1) The corrective action proposed by the charter school has been unsuccessful.*
- (2) The violations are sufficiently severe and pervasive as to render a corrective action plan unviable.*

*47607.2(b)(1) . . . the chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 and the performance of the charter school on the local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.*

- (2) The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.*
- (3) The chartering authority may deny a charter renewal pursuant to this subdivision only upon making written findings, setting forth specific facts to support the findings, that the charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school, that closure of the charter school is in the best interest of pupils and, if applicable pursuant to paragraph (2), that its decision provided greater weight to performance on measurements of academic performance.*
- (4) For a charter renewed pursuant to this subdivision, the chartering authority shall grant a renewal for a period of five years.*

...

Education Code section 47605 establishes the criteria for reviewing a charter petition.

**According to EC section 47605(b)-(c):**

*(b) No later than 60 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 90 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. A petition is deemed received by the governing board of the school district for purposes of commencing the timelines described in this subdivision on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. The governing board of the school district shall publish all staff recommendations, including the recommended findings and, if applicable, the certification from the county superintendent of schools prepared pursuant to paragraph (8) of subdivision (c), regarding the petition at least 15 days before the public hearing at which the governing board of the school district will either grant or deny the charter. At the public hearing at which the governing board of the school district will either grant or deny the charter,*



*petitioners shall have equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings.*

*(c) In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by 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 governing board of the school district shall grant a 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 proposing to locate. The governing board of the school district shall consider the academic needs of the pupils the school proposes to serve. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts 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 the number of signatures required by subdivision (a).*
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).*
- (5) The petition does not contain reasonably comprehensive descriptions of all of the [elements established in 47605(c)(5)(A-O)]*
- ...
- (6) 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 Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.*



### **III. Charter Petition Review Committee Analysis**

Information regarding Kepler's performance during the current charter term has been gathered through required statutory submissions and ongoing communication between Kepler and Fresno County Superintendent of Schools (FCSS). Throughout the charter term, FCSS staff conducted annual site visits pursuant to Education Code section 47604.32(b) and provided continuous oversight.

As part of the charter renewal review process, FCSS conducted a comprehensive site visit on January 14, 2026. During this visit, the Charter Committee observed classroom instruction and facilitated focus groups with students, staff, parents, and Kepler's leadership team.

#### **Student Focus Groups**

Students consistently described Kepler as a school that fosters confidence, leadership, and a strong sense of community. Students highlighted the benefits of enrichment classes and activities, a small and safe campus environment, a supportive principal, caring and responsive teachers, a beneficial intervention program, and the use of varied instructional strategies. Students also expressed excitement about the development of the new playground. When asked to describe Kepler in one word, students offered the following descriptors: *welcoming, safe, comfortable, amazing, supportive, fun, and fantastic*.

#### **Parent Focus Groups**

Parents praised Kepler staff for their timely communication, responsiveness, and strong teacher-student relationships. Parents emphasized the school's family-like atmosphere and attentiveness to the needs of students, including those with exceptional needs. Two parents specifically contrasted the educational services their students with disabilities received at Kepler with experiences in local districts, noting Kepler's more comprehensive and supportive approach. One parent highlighted the benefit of Kepler's wraparound services, including access to ongoing mental health support provided by on-site clinicians. Parents described Kepler as a close-knit community where students are safe, seen, heard, and cared for. Parents also noted that the school actively seeks and responds to parent and student input, and utilizes multiple communication platforms. When asked to identify areas for improvement, parents expressed interest in increased opportunities for parent-to-parent engagement, such as a parent council, parent club, or similar collaborative structure. Parents described Kepler as peaceful, comfortable, safe, and supportive.

#### **Staff Focus Group**

Kepler teachers and support staff spoke positively about the progress the school has made in addressing students' academic needs. One long-term teacher noted that Kepler has evolved from a charter with limited academic focus to a school grounded in professional learning communities (PLCs) and data-driven instruction, where most teachers have a clear understanding of their students' academic progress. Teachers reported increased collaboration around supporting students with disabilities and praised the leadership team's open-door policy. Staff members described a clear and intentional focus on student academic achievement alongside a strong commitment to maintaining a safe and supportive school culture. This intentional culture is



evident in daily practices, including students being greeted by multiple staff members each morning. Teachers and staff also noted that leadership and Human Resources personnel are readily accessible to provide support.

### **Public Hearing Input**

Charter Committee members attended the FCBE public hearing for Kepler on January 15, 2026. Ten individuals provided public comment, including two staff members, the Kepler Board President, an additional board member, four Kepler students, and two parents. Kepler leadership highlighted the school's progress over the charter term and reaffirmed the charter's mission and vision, emphasizing the role of stable leadership in achieving these outcomes. Governing board members echoed the importance of consistent and capable leadership and affirmed their commitment to continuous improvement. Students spoke about receiving both academic and emotional support at Kepler, expressed excitement about the new playground, and described a strong sense of belonging on campus. One student specifically commended the principal as a stable and supportive presence. Parents shared positive experiences regarding the support provided to their students with disabilities, expressed appreciation for Kepler's community events, and praised staff for their responsiveness and dedication.

### **Petition Compliance Review**

This section includes a summary of the Charter Committee's analysis related to the criteria outlined in Section II of this report. For each criterion, the page numbers where supporting information can be found in the Renewal Petition are provided. Charter Committee comments are provided where needed for clarity.

<b>EC 47605(c)(1)/47605.6(b)(1) [Does the charter school present a sound educational program for the pupils to be enrolled in the charter school?] (Y/N/NA)</b>
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**Yes-** As is noted in the subsections below, Kepler's renewal petition contains a complete description of a sound educational program, including application of the Local Control Funding Formula and corresponding Local Control Accountability Plan (LCAP). Provision is made within the Renewal Petition to address the academic needs of all students, including but not limited to students at risk of low achievement, English Learners, and students with disabilities.

Kepler's educational program is designed to meet the diverse needs of its student population. Annual site visits and student outcomes revealed evidence of standards-based instruction through interactive, engaging, and creative learning opportunities, including the arts. Kepler classrooms feature flexible learning environments, materials, and assessments that accommodate diverse learning styles and needs by providing multiple means of engagement, representation, and action/expression. Kepler staff significantly improved their ELA and Mathematics instructional practices over the past few school years, resulting in more focused and standards-aligned instruction. These shifts have resulted in significant increases in schoolwide and student-group standardized testing outcomes. (See pages 34-65)



**EC 47605(c)(2)/47605.6(b)(2) [Are the petitioners likely to successfully implement the program set forth in the petition?] (Y/N/NA)**

**Yes-**

**Leadership**

The current administrative team includes the following:

- Rickie Dhillon, Superintendent
- Sheng Thao, Director of Student Services
- Kevin Eanes, Director of Operations
- Stephannie Beck Wilson, HR Compliance and Benefits Director
- Davian Figueroa, Principal

Teachers, support staff, parents, and students commended Kepler's leadership team for their responsiveness, awareness of the needs of every student, instructional support, and creating a safe and collaborative culture where students are safe, engaged, and challenged to think critically. The leadership team, including the Kepler board, has emphasized the importance of maintaining a stable and capable leadership team.

**Academic Achievement**

Kepler's academic progress is demonstrated through state and local assessments, and the California School Dashboard. Student outcomes are outlined in the renewal petition on pages 17-33. Section IV of the staff report provides a detailed analysis of Kepler's academic progress.

**Fiscal Management**

Kepler's financial activities are directed and monitored by Kepler Education, Inc. The multi-year projection presents solid financial footing for the charter school, as reserves hold steady around 90% and enrollment increases from 315 in 2025-26 to 340 by 2027-28. The unrestricted general fund is projecting annual surpluses of around \$100k for 2025-26 through 2027-28, which will add to the already healthy reserves. This positive projection is predicated on the enrollment figures continuing to increase to levels Kepler hasn't seen since 2022-23. The school may need to focus on advertising and positive community outreach to attain these enrollment increases.

**Past Enrollment**

Fiscal Year	21-22	22-23	23-24	24-25
Enrollment	371	369	307	301

**Enrollment Projections**

Fiscal Year	25-26	26-27	27-28	28-29	29-30	30-31
Enrollment	300	310	320	330	340	350



**EC 47605(c)(3)/47605.6(b)(3) The Petition contains the number of signatures required by subdivision (a). (Y/N/NA)**

**NA**-This is not required for renewals. California Code of Regulations (CCR) 11966.4(a)(2)(A) states: *The signature requirement set forth in Education Code section 47605(a) is not applicable to a petition for renewal.*

**EC 47605(c)(4)/47605.6(b)(4) [Does the petition contain an affirmation of each of the conditions described in 47605(e) / 47605.6(e)]? (Y/N)**

**Yes**- Affirmations and Declarations can be found on pages 2-4 of the petition.

### **EC 47605(c)(5)) Charter Petition Elements**

Does the petition contain reasonably comprehensive descriptions of all of the following? (Y/N/NA)

**EC 47605(c)(5)(A)(i)** *The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.*

*(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.*

*(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A to G” admissions criteria may be considered to meet college entrance requirements.*

**Yes**-The description of the educational program contains the required components as noted in EC section 47605(c)(5) as well as addressing annual goals and associated actions related to the eight state priorities associated with the Local Control Funding Formula and Common Core State Standards. A comprehensive description of the educational program can be found within the renewal petition on pages 34-65.



**EC 47605(c)(5)(B)** *The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.*

**Yes**-Pupil outcomes aligned with the eight state priorities are found in Elements 2 and 3 of the renewal petition on pages 66-71 Pupil outcomes are aligned with the Kepler Local Control & Accountability Plan and include state and local outcomes disaggregated by student groups where applicable.

**EC 47605(c)(5)(C)/47605.6(b)(5)(C)** *The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.*

**Yes:** Elements 2 and 3 of the renewal petition identify the methods by which pupil progress will be measured. This description includes both the method and frequency of assessment. The petition also describes the methods the charter will use to review and respond to assessment data to meet the educational needs of all students. The petition also states that pursuant to EC 47606.5 Kepler will produce a Local Control Accountability Plan, which shall update the goals and annual actions to achieve the goals in alignment with the State Priorities, on the approved LCAP template.

Pages 66-71

Kepler’s Local Control and Accountability Plan is located on page 267 of the petition and on the Kepler website.

**EC 47605(c)(5)(D)** *The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.*

**Yes**- Kepler is operated and administered by Kepler Education, Inc. Governance of Kepler complies with the Ralph M. Brown Act, the Political Reform Act, the Public Records Act, and Government Code section 1090. A description of the Kepler governance structure, including parental involvement and student voice, is on pages 72-78 of the Kepler petition.



**EC 47605(c)(5)(E) *The qualifications to be met by individuals to be employed by the charter school.***

**Yes-** Element 5 of the petition describes the qualifications to be met by employees of Kepler. Teacher credentials are reviewed each year by FCSS HR credential analysts. Administrative staff resumes can be found in the appendix of the petition.

Pages 79-83

**EC 47605(c)(5)(F) *The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:***

**(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.**

**(ii) For all schools, the development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (M), inclusive, of paragraph (2) of subdivision (a) of Section 32282. For schools serving pupils in any of grades 7 to 12, inclusive, the development of a school safety plan shall also include the safety topic listed in subparagraph (N) of paragraph (2) of subdivision (a) of Section 32282.**

**(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.**

**Yes-** Element 6 of the renewal petition includes detailed procedures for maintaining a safe and healthy environment for pupils and staff. The section includes fingerprint requirements and the development and implementation of a Comprehensive Safety plan reviewed and adopted by March 1 of each year. Pages 84-91. The Comprehensive School Safety Plan is located on page 139 of the petition.

**EC 47605(c)(5)(G) *The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the county board of education to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.***

**Yes-** Element 7 of the Kepler Renewal petition describes a student recruitment strategy that attempts to achieve a balance in student demographics reflective of students residing within the territorial jurisdiction of Fresno Unified School District. The Kepler student demographic characteristics reflect a lower percentage of English Learners 7.0% and SED students (72%) than Fresno Unified School District, Kepler's district of residence. The Fresno Unified School District enrollment reflects an English Learner population of 18.8% and an SED student population of 85.9%. The Kepler petition describes the charter's effort to recruit students who are English Learners, student with disabilities, and SED.

Pages 92-95



**EC 47605(c)(5)(H)** Admission policies and procedures, consistent with EC 47605(e).

**Yes-** Element 8 (pages 96-99) of the renewal petition describes Kepler's admissions process, application process, and random lottery provisions. Required Admissions language is also found in the Affirmations and Declarations document on pages 2-4 of the petition.

**EC 47605(c)(5)(I)** *The manner in which annual, independent financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and deficiencies shall be resolved.*

**Yes-** Element 9 of the renewal petition describes the manner in which annual independent financial audits of Kepler's financials are conducted. Kepler's independent audits have revealed only one material finding during the current petition period. In the 2022-23 year, the auditors found one student lacked proper immunization records. It was subsequently corrected in the following year.

Page 100

**EC 47605(c)(5)(J)** *The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:*

*(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.*

*(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:*

*(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.*

*(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.*

*(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the*



*action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian, or, if the pupil is a homeless child or youth, or a foster child or youth, in the native language of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the pupil is an Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker. The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker or, if applicable, county social worker initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).*

*(iv) A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information.*

**Yes-** Element 10 of the renewal petition describes the procedures by which pupils can be suspended or expelled from Kepler for disciplinary reasons or otherwise involuntarily removed from Kepler for any reason as required by EC 47605(c)(5)(J).

Pages 101-124

**EC 47605(c)(5)(K)** *The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.*

**Yes-** Element 11 of the renewal petition describes the manner by which staff members of the charter school will be covered by the State Teachers Retirement System, the Public Employees Retirement System, or federal social security. Based on Element 11 of the petition, all Certificated employees participate in CalSTRS. Classified employees participate in federal Social Security. The petition states that the Kepler board may decide to establish additional retirement options for non-certificated staff members.

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**EC 47605(c)(5)(L)** *The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.*

**Yes-** Element 12 of the renewal petition describes public school attendance alternatives for students residing within the school district who choose not to attend the charter school.

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**EC 47605(c)(5)(M)** *The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.*

**Yes-** Element 13 of the renewal petition states that no public-school district or County Superintendent's employee shall be required to work at Kepler. Employees who leave the district or County Superintendent's office to work for Kepler will not have automatic rights to return to employment at the public school district or County Superintendent's office.

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**EC 47605(c)(5)(N)**-The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.

**Yes-** Element 14 of the renewal petition describes the procedures to be followed by the charter school and charter authorizer to resolve disputes within the charter and disputes relating to the provisions of the charter.

Pages 128-129

**EC 47605(c)(5)(O)** The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

**Yes-** Element 15 of the renewal petition includes a description of the procedures to be used if the charter school closes. Pages 130-132



**EC 47605(c)(6)/EC 47605.6(b)(6)** 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 (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).

**Yes-** The petition includes a signed declaration that Kepler Education, Inc. shall be deemed the exclusive public-school employer of the employees of Kepler for the purposes of the Educational Employment Relations Act.

Page 2



**Fresno County  
Superintendent of Schools**  
Dr. Michele Cantwell-Copher, Superintendent

#### IV. CHARTER SCHOOL ACADEMIC PERFORMANCE

**Has the Charter School met academic performance requirements specified in EC section 47607(c)(1), and 47607.2(b)(1)-(2)? (Y/N/NA)**

47607(c) (1) As an additional criterion for determining whether to grant a charter renewal, the chartering authority shall consider the performance of the charter school on the state and local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.

...

47607.2(b)(1) . . . the chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 and the performance of the charter school on the local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.

(b)(2) The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.

**Yes-** In considering the charter school's performance on the state and local indicators included in the evaluation rubrics adopted pursuant to subdivision (c) of Section 52064.5, the charter review team has determined that the charter school's academic performance meets the requirement for renewal. Section IV provides Kepler outcomes on the evaluation rubrics adopted pursuant to subdivision (c) of Section 52064.5, as represented on the [California Accountability Dashboard](#).



## STUDENT ACADEMIC PERFORMANCE AND CHARTER OUTCOMES

### 2025 Charter School Performance Report Tier: Middle

#### Data Indicators for Renewal Evaluation

California Education Code section 47607(c) requires authorizers to consider a charter school's placement within the state's performance categories—High, Middle, or Low—when evaluating a charter renewal. These categories are determined using results from the two most recent California School Dashboards and provide presumptive guidance regarding renewal or non-renewal.

The California School Dashboard reports both academic and non-academic state indicators. Academic indicators include English Language Arts/Literacy (ELA), Mathematics, the English Learner Progress Indicator (ELPI), and the College/Career Indicator (CCI). Non-academic indicators include Chronic Absenteeism, Graduation Rate, and Suspension Rate. Two criteria, applied in sequence, determine a charter school's placement.

Under **Criterion 1**, the state evaluates a school's performance colors on all state indicators across the two most recent Dashboard years.

- **High Performance-** If a charter receives Blue and/or Green on all indicators for both years, there is a presumption of renewal (5-7 years).
- **Low Performance** category if it receives Red and/or Orange on all indicators for both years, creating a presumption of non-renewal.

Schools that do not meet either threshold proceed to **Criterion 2** for further analysis.

**Criterion 2** focuses exclusively on the academic indicators and uses each school's Status (current-year performance) compared to the statewide average.

- **High Performance** -To qualify for High Performance category under Criteria 2, the school's overall Status on each academic indicator meets or exceeds the statewide average. The state then removes any student groups whose performance is already at or above statewide levels—most recently including White, Asian, Filipino, and Two or More Races student groups—to avoid masking performance gaps. After removing these groups, the school must have at least two remaining student groups with performance color results across both Dashboard years. For each academic indicator in each year, a majority of these remaining student groups must outperform their respective statewide averages. If these conditions are met, the school is placed in the **High Performance** category.
- **Low Performance-** A charter may be categorized Low Performing under Criterion 2 if its overall Status is at or below the statewide average, and if a majority of its remaining student groups—after higher-performing groups have been removed—score below their

respective statewide averages across both years and across at least two academic indicators.

Schools that do not meet the requirements for either the High or Low performance categories under Criterion 1 or 2 are automatically placed in the **Middle Performance** category.

It is important to note that Dashboard Alternative School Status (DASS) schools follow separate renewal criteria and do not receive performance category placements. Only non-DASS charter schools are assigned to the High, Middle, or Low categories.

### English-Language Arts-Dashboard Comparison to CA Statewide Performance

Groups	Kepler 2024	CA 2024	Kepler 2025	CA 2025
Schoolwide	-31.4 points	-13.2 points	-16.8 points	-8.1 points
SED	-45.1 points	-40.9 points	-24.3 points	-35.3 points
Hispanic	-43.6 points	-39.3 points	-32.2 points	-33.7 points

### Mathematics--Dashboard Comparison to CA Statewide Performance

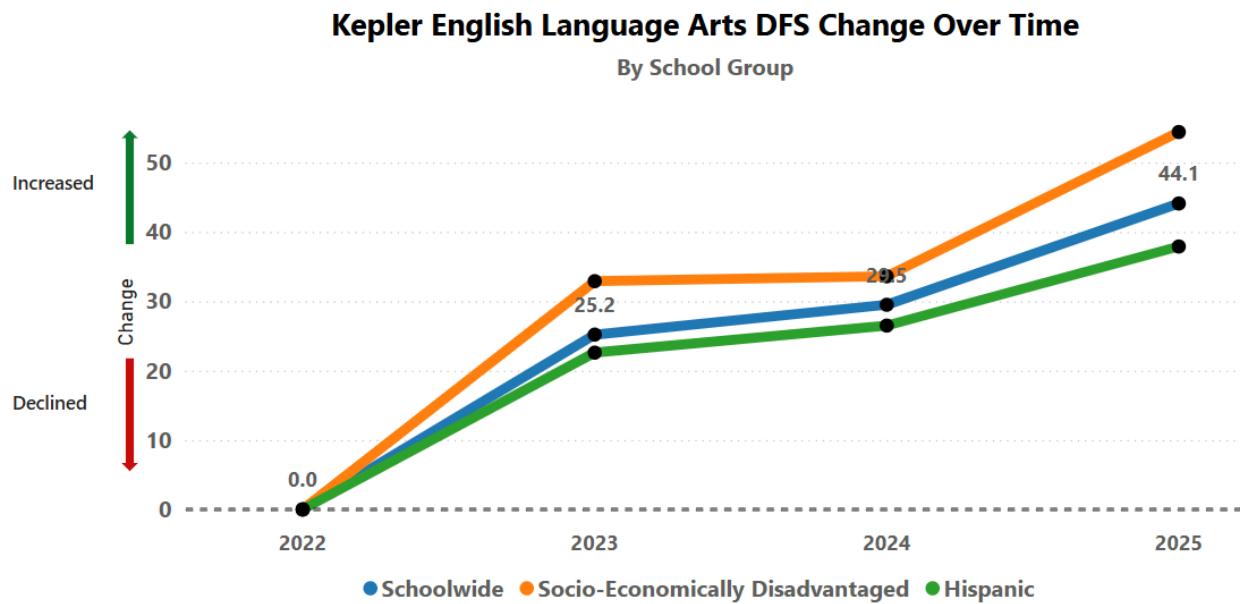
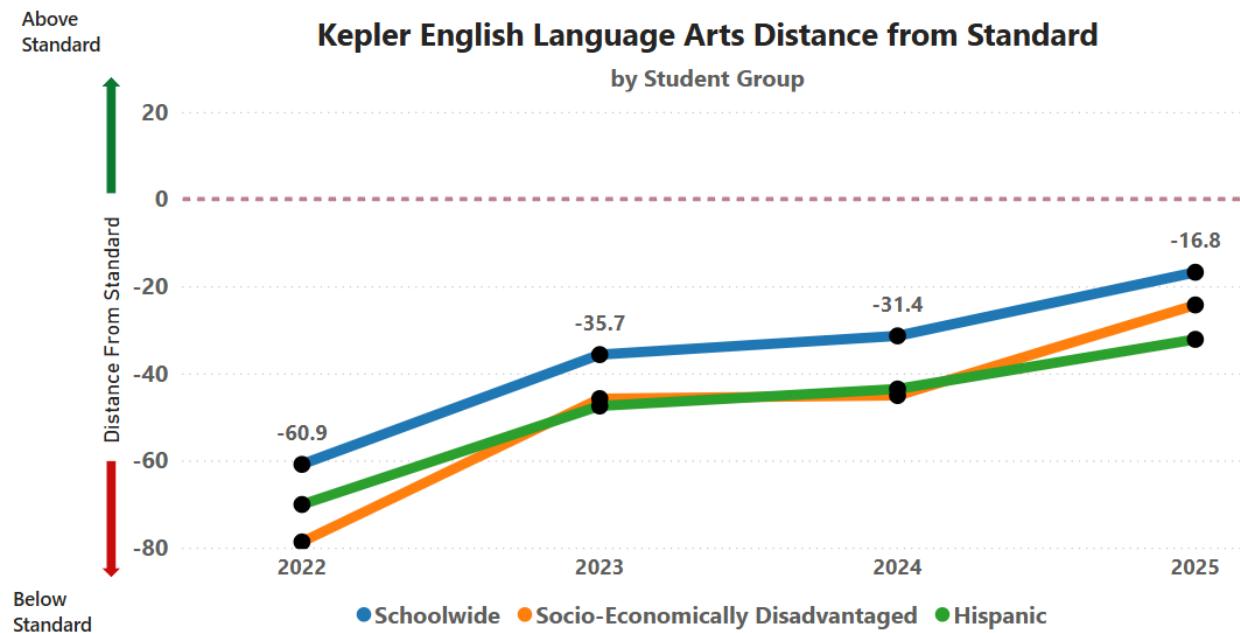
Groups	Kepler 2024	CA 2024	Kepler 2025	CA 2025
Schoolwide	-61.2 points	-47.6 points	-57.7 points	-42.2 points
SED	-78.4 points	-78.3 points	-71.3 points	-72.9 points
Hispanic	-70.7 points	-79.2 points	-72.6 points	-73.6 points

Over the past two school years, Kepler has demonstrated steady and meaningful academic improvement in both English–Language Arts (ELA) and Mathematics when compared to statewide performance. Socioeconomically disadvantaged (SED) and Hispanic student groups, who make up the majority of Kepler’s enrollment, showed sustained growth and over two years matched or approached statewide subgroup outcomes. In Mathematics, Kepler demonstrated even larger gains, moving from 82.3 points below standard in 2023 to 42.2 points below in 2025—a more than 40-point improvement. While schoolwide performance remains below the state, the consistent upward trend across all groups shows that Kepler is making meaningful



progress and successfully strengthening core instruction and intervention systems. These results position Kepler as a steadily improving, middle-tier school with a clear trajectory toward closing achievement gaps and aligning more closely with statewide expectations.

### English-Language Arts-Distance from Standard



Groups	2022	2023	2024	2025	Change 2022-2025
Schoolwide	-60.9 points	-35.7 points	-31.4 points	-16.8 points	+44.1 points
SED	<b>-78.7 points</b>	-45.8 points	-45.1 points	-24.3 points	+54.4 points
Hispanic	<b>-70.1 points</b>	-47.5 points	-43.6 points	-32.2 points	+37.9 points

From 2022 to 2025, Kepler's ELA outcomes show a clear and substantial upward trajectory across all major reporting groups, reflecting sustained academic improvement over time. Overall, Kepler's multi-year ELA trend reflects a significant reduction in distance from standard, notable subgroup growth, and a positive shift from low performance toward steady, moderate performance aligned with statewide expectations.

### 2025 ELA Distance from Standard District Comparison

Groups	Central USD	Clovis USD	Fresno USD	Kepler
All Students	-19.5 points	+44.0 points	-40.2 points	-16.8 points
SED	-28.4 points	+12.2 points	-48.3 points	-24.3 points
Hispanic	-27.0 points	+23.2 points	-44.9 points	-32.2 points

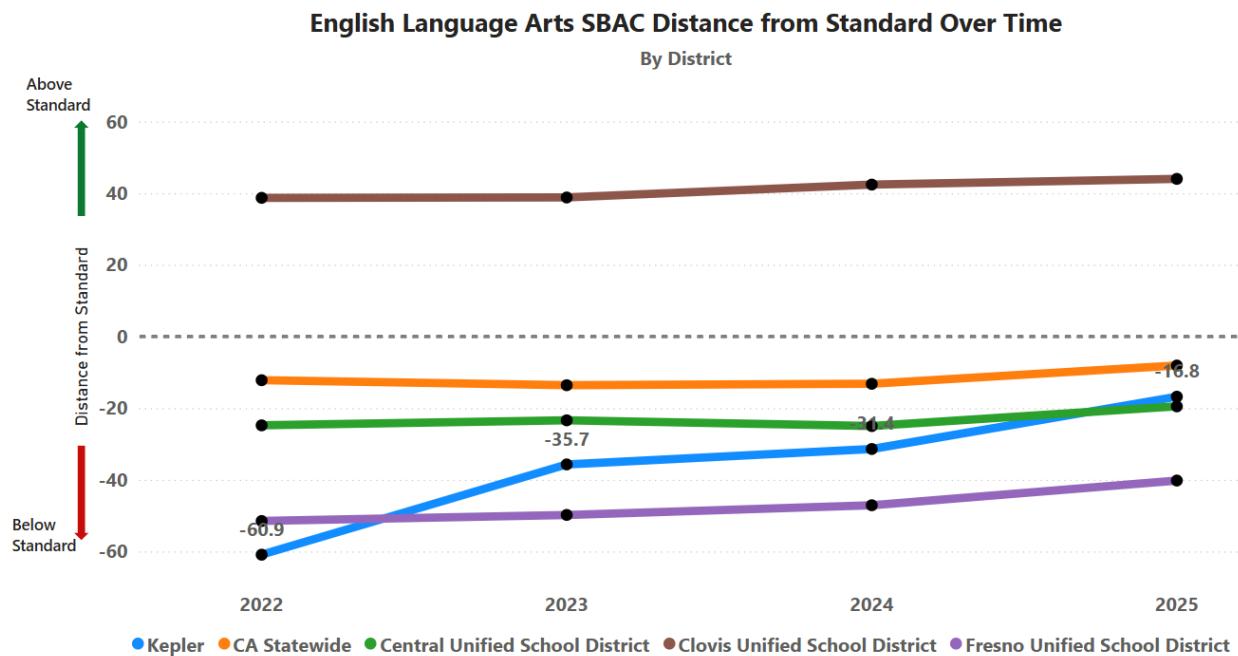
### 2025 ELA Distance from Standard School Comparison

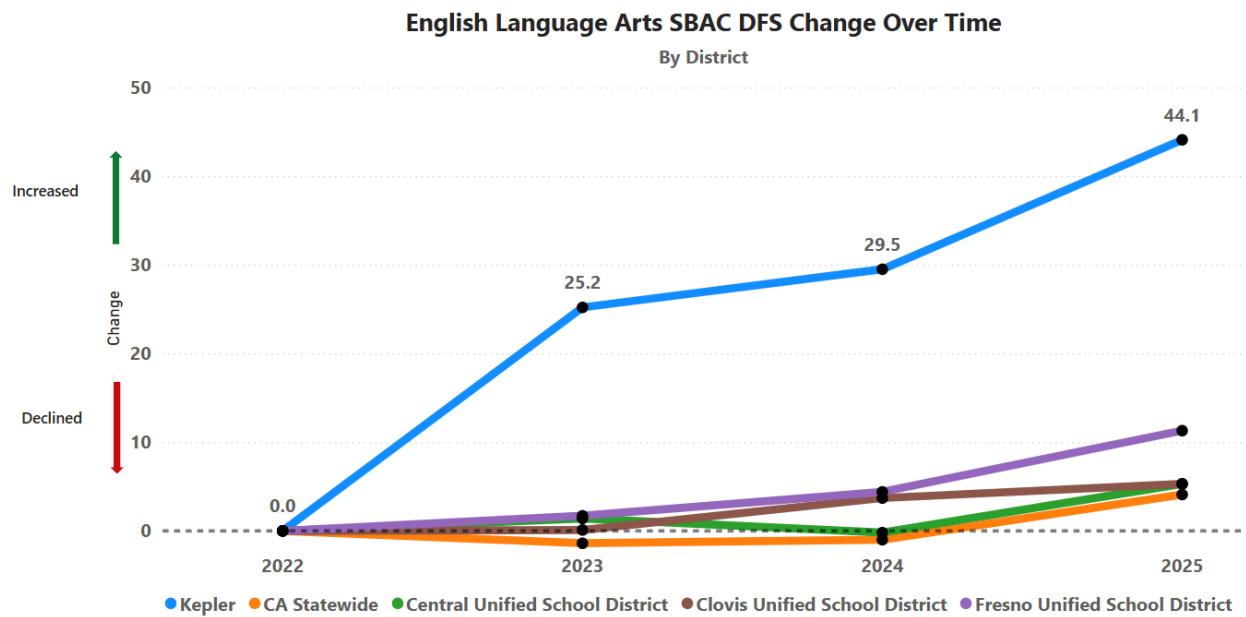
Grade Level	SED	Hispanic	All Students
Kepler	-24.3 points	-32.2 points	-16.8 points
Columbia Elementary	-81.1 points	-77.6 points	-80.7 points
Edison-Bethune Charter	-45.9 points	-37.4 points	-42.7 points
Gaston Middle School	-119 points	-113.8 points	-118.2 points
Jefferson Elementary	+12.4 points	+14.6 points	+14.7 points
Lowell Elementary	-47.5 points	-38.1 points	-46.5 points
Tehipite Middle School	-83.7 points	-81.1 points	-81.9 points
Yokomi Elementary	-24.5 points	-22.9 points	-12.2 points



In comparison to other downtown Fresno schools, Kepler's 2025 ELA performance demonstrates clear relative strength, particularly among SED and Hispanic students. Kepler's schoolwide Distance from Standard ( $-16.8$ ) places it well ahead of nearby elementary and middle schools, and positions Kepler much closer to meeting grade-level expectations than most peer schools. Overall, Kepler ranks among the stronger-performing downtown schools, demonstrating meaningfully higher achievement levels than most of its neighborhood peers.

### English-Language Arts Growth-Distance from Standard- Comparison



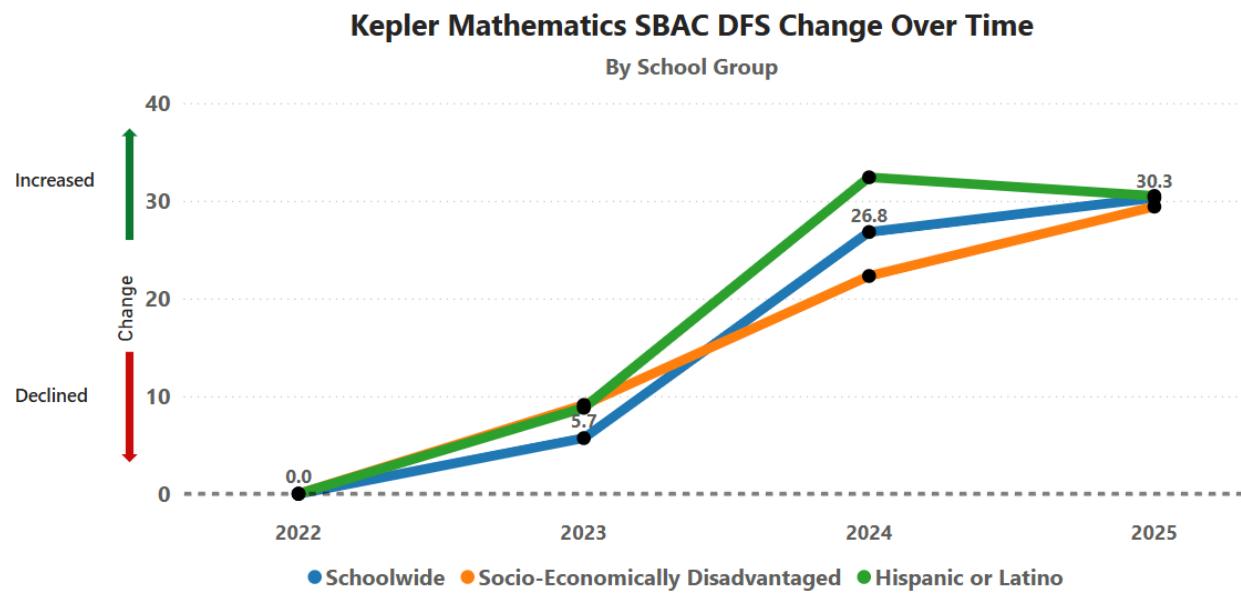
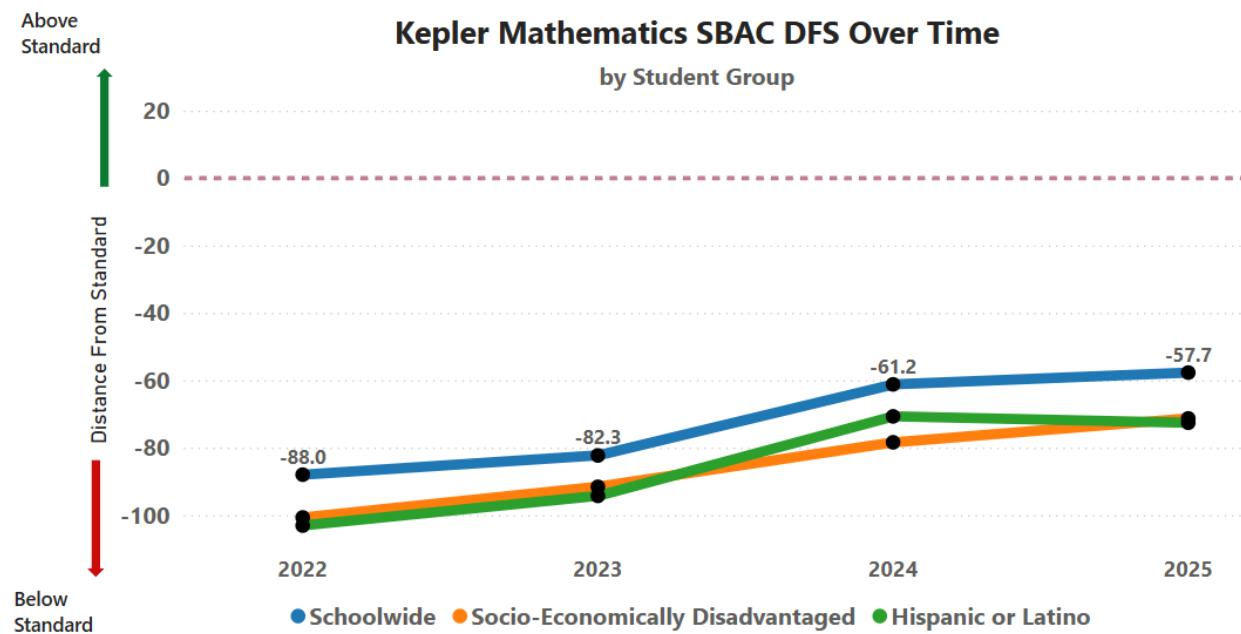


School	2022	2023	2024	2025	Change
Kepler	-60.9 points	-35.7 points	-31.4 points	-16.8 points	+44.1 points
Central Unified	-24.8 points	-23.4 points	-25 points	-19.5 points	+5.3 points
Clovis Unified	+38.7 points	+38.8 points	+42.4 points	+44 points	+5.3 points
Fresno Unified	-51.5 points	-49.8 points	-47.1 points	-40.2 points	+11.3 points
CA Statewide	-12.2 points	-13.6 points	-13.2 points	-8.1 points	+4.1 points

Between 2022 and 2025, Kepler demonstrated significant positive change in ELA performance among the listed districts, improving by over 44 points. While Kepler remained below standard, moving from -60.9 to -16.8, this upward trend far outpaced the gains seen in area districts. Kepler's improvement signals a noteworthy recovery and growth trajectory.



## Math-SBAC-Distance from Standard



Student	2022	2023	2024	2025	Change
Schoolwide	-88 points	-82.3 points	-61.2 points	-57.7 points	+30.3 points
SED	<b>-100.7 points</b>	-91.6 points	-78.4 points	-71.3 points	+29.4 points
Hispanic	<b>-103.1 points</b>	-94.3 points	-70.7 points	-72.6 points	+30.5 points

Kepler has demonstrated significant schoolwide and subgroup improvement in mathematics Distance from Standard (DFS) from 2022 to 2025. Schoolwide, the DFS improved by 30.3 points, moving from -88 to -57.7. Among the SED student group, performance improved by 29.4 points, from a very low -100.7 to -71.3, while the Hispanic student group showed the most substantial growth, gaining 30.5 points from -103.1 to -72.6. While all groups remain below standard, the consistent year-over-year progress across the board—particularly among historically underserved populations—signals meaningful academic gains and suggests that Kepler is effectively closing achievement gaps and targeting support to elevate student outcomes in mathematics.

#### 2025 Mathematics Distance from Standard-District Comparison

Student Groups	Central USD	Clovis USD	Fresno USD	Kepler
All Students	-56.3 points	+3.1 points	-71 points	<b>-57.7 points</b>
SED	-65.4 points	-31.7 points	-78.7 points	<b>-71.3 points</b>
Hispanic	-67.2 points	-25.5 points	-76.3 points	<b>-72.6 points</b>

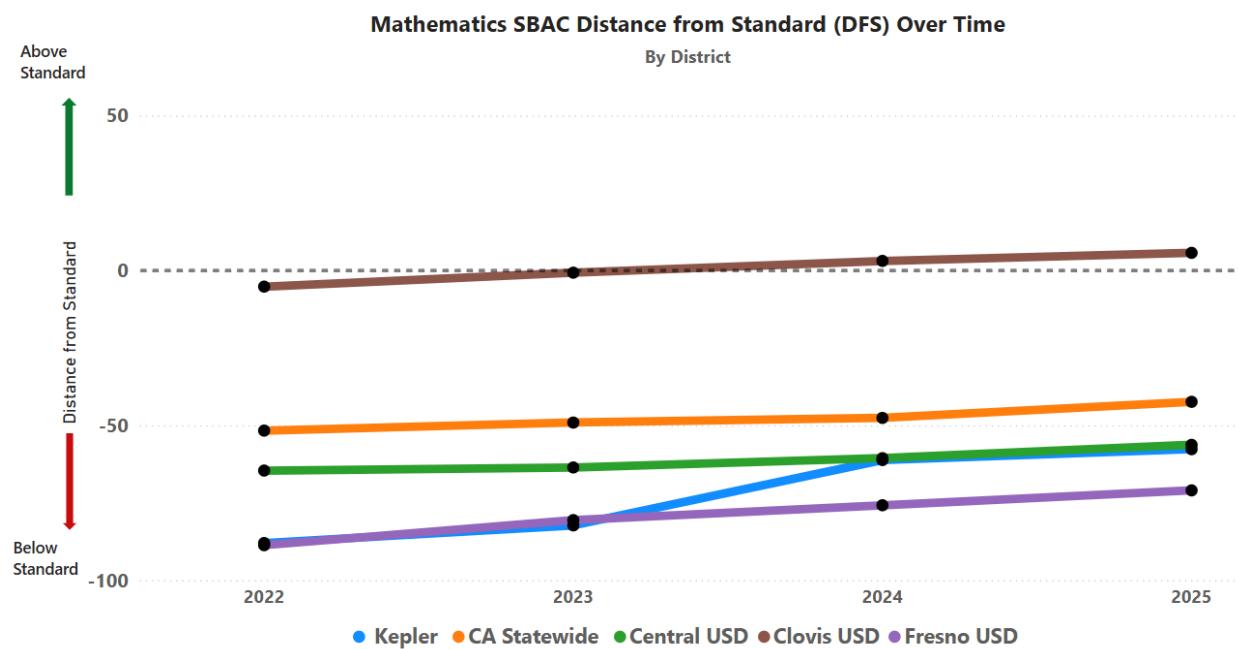
#### 2025 Mathematics Distance from Standard-School Comparison

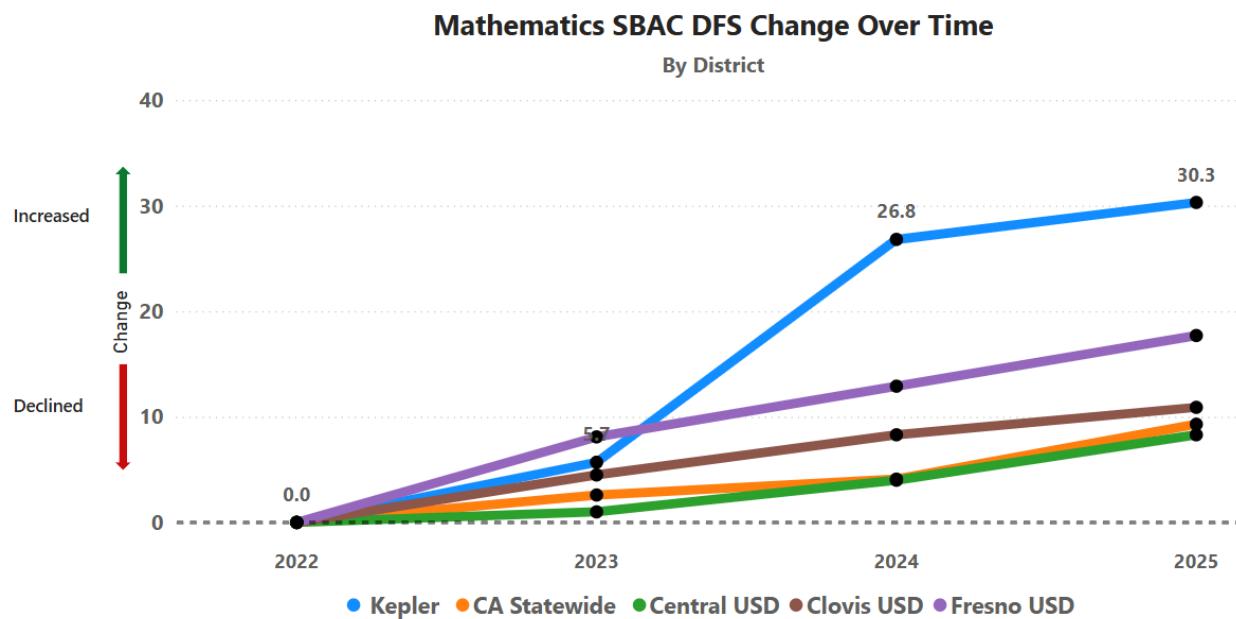
School	SED	Hispanic	All Students
<b>Kepler</b>	<b>-71.3 points</b>	<b>-72.6 points</b>	<b>-57.7 points</b>
Columbia Elementary	-86.8 points	-79.9 points	-86.4 points
Edison-Bethune Charter	-48.6 points	-36.3 points	-45.9 points
Gaston Middle	-162 points	-156.1 points	-161 points
Jefferson Elementary	+8.7 points	+7.4 points	+9.9 points
Lowell Elementary	-60.6 points	-54.3 points	-59.3 points
Tehipite Middle	-140.2 points	-136.5 points	-138.1 points
Yokomi Elementary	-29.7 points	-27.6 points	-17.9 points



Kepler's schoolwide mathematics performance, with a Distance from Standard (DFS) of  $-57.7$ , is comparable to Central Unified ( $-60.6$ ) and stronger than Fresno Unified ( $-76.3$ ). Among SED students, Kepler ( $-71.3$ ) outperforms Fresno Unified ( $-78.7$ ) but trails both Central and Clovis Unified. For the Hispanic student group, Kepler's DFS of  $-72.6$  is stronger than Fresno's ( $-76.3$ ). While Kepler remains below standard across all groups, its outcomes are generally stronger than those in Fresno Unified and competitive with Central, reflecting meaningful progress and positioning the school ahead of similar districts in supporting historically underserved student populations.

### Mathematics-SBAC-Distance from Standard-District Comparison



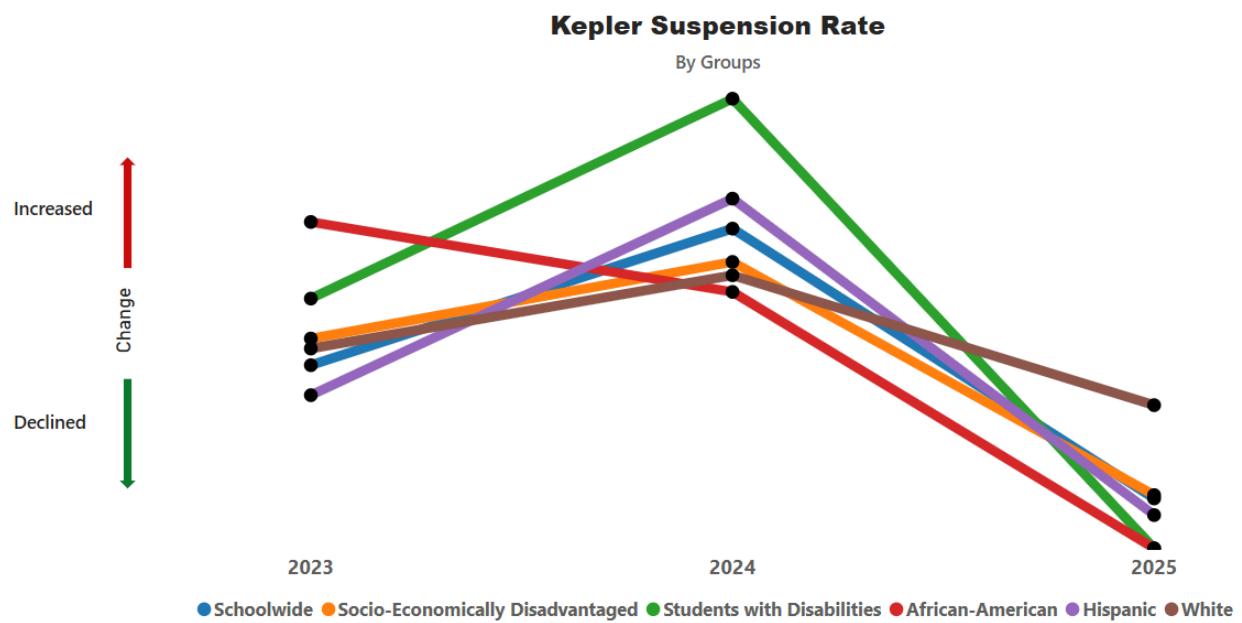


School	2022	2023	2024	2025	Change
Kepler	<b>-88 points</b>	<b>-82.3 points</b>	<b>-61.2 points</b>	<b>-57.7 points</b>	<b>+30.3 points</b>
Central Unified	-64.6 points	-63.6 points	-60.6 points	-56.3 points	+8.1 points
Clovis Unified	-5.2 points	-0.7 points	+3.1 points	+5.7 points	+10.9 points
Fresno Unified	-88.7 points	-80.6 points	-75.8 points	-71 points	+17.7 points
CA Statewide	-51.7 points	-49.1 points	-47.6 points	-42.4 points	+9.3 points

From 2022 to 2025, Kepler demonstrated a more significant improvement in Math performance among surrounding districts, with its Distance from Standard (DFS) increasing by +30.3 points—from -88 to -57.7. While Kepler remains below standard, the rate of improvement is notably strong. This data highlights Kepler’s effective efforts in accelerating math achievement and closing learning gaps at a faster pace than surrounding districts.



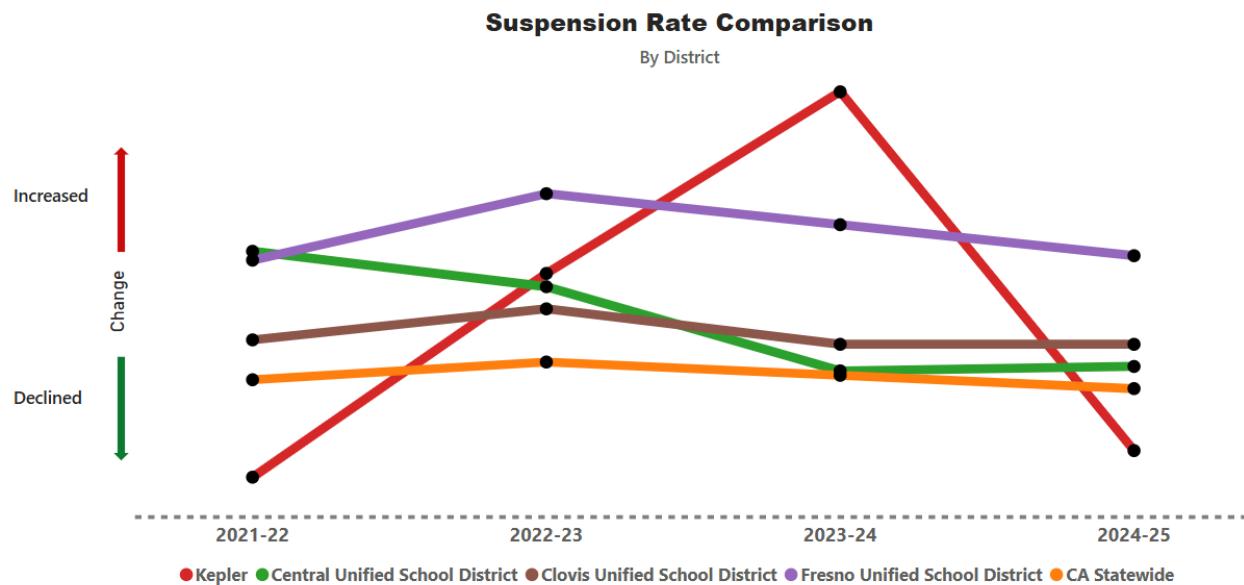
### Suspension Rate (2023-2025)



Student Group	2023	2024	2025	Change 2023-2025
Schoolwide	5.5%	9.6%	1.5%	-4.0%
SED	6.3%	8.6%	1.6%	-4.7%
Students with Disabilities	7.5%	13.5%	0%	-7.5%
African-American	9.8%	7.7%	0%	-9.8%
Hispanic	4.6%	10.5%	1%	-3.6%
White	6.0%	8.2%	4.3%	-1.7%



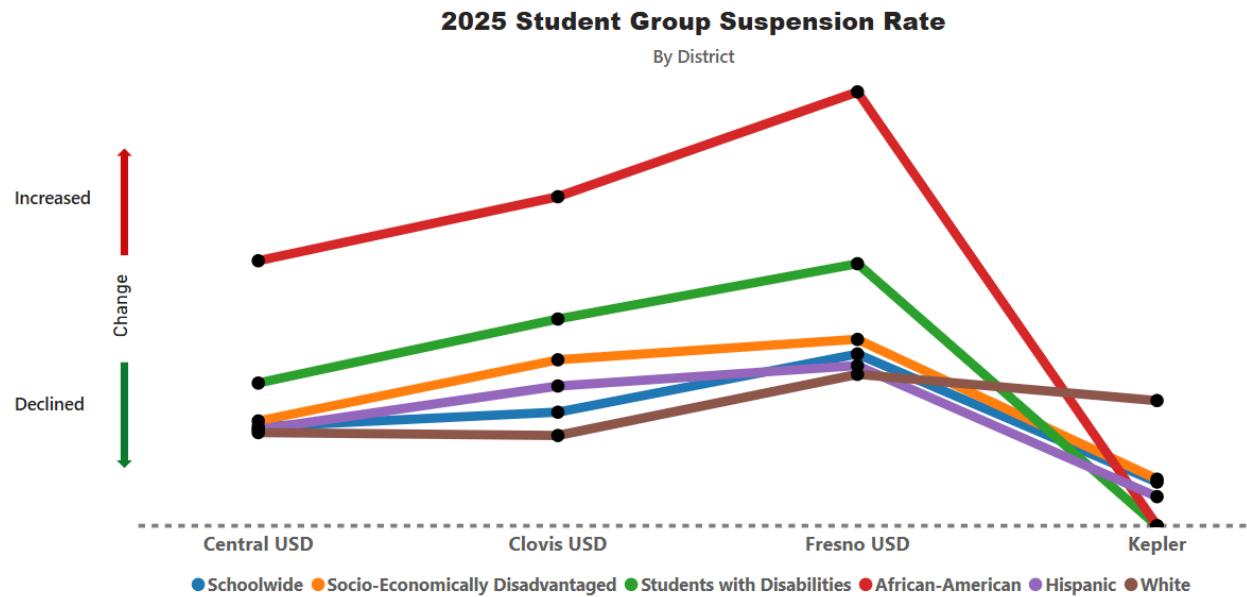
### Suspension Rate: Comparison to Districts



School	2021-22	2022-23	2023-24	2024-25
Kepler	0.9%	5.5%	9.6%	1.5%
Central Unified School District	6%	5.2%	3.3%	3.4%
Clovis Unified School District	4%	4.7%	3.9%	3.9%
Fresno Unified School District	5.8%	7.3%	6.6%	5.9%
CA Statewide	3.1%	3.5%	3.2%	2.9%



### Suspension Rate: District Student Group District Comparison (2025)



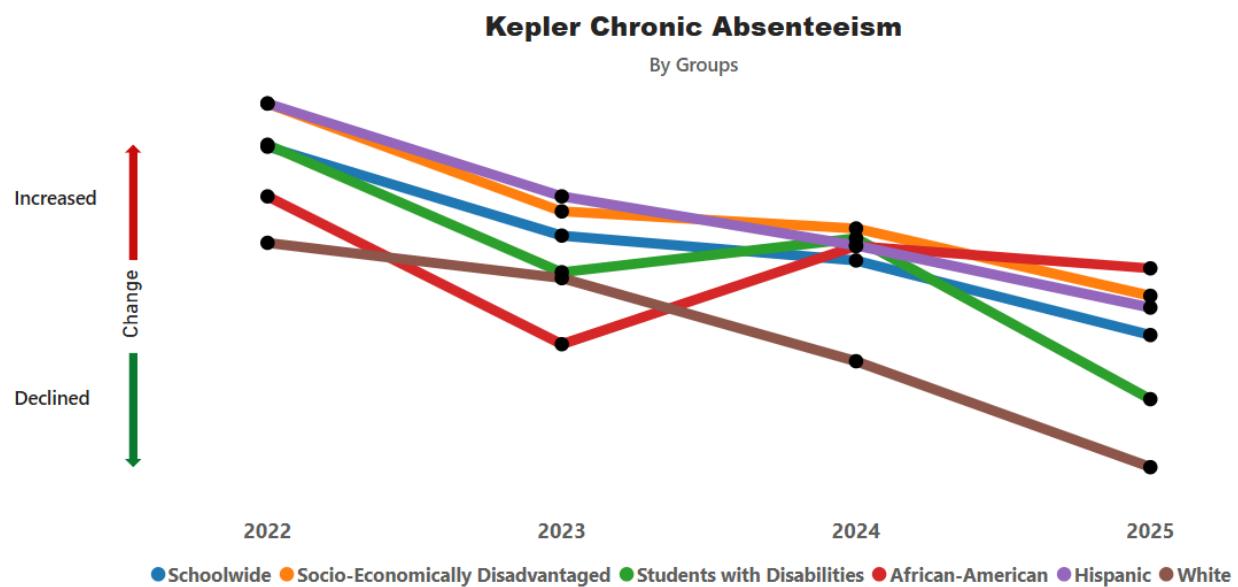
Student Group	Central USD	Clovis USD	Fresno USD	Kepler
All Students	3.4%	3.9%	5.9%	<b>1.5%</b>
SED	3.6%	5.7%	6.4%	<b>1.6%</b>
Students with Disabilities	4.9%	7.1%	9%	<b>0%</b>
African-American	9.1%	11.3%	14.9%	<b>0%</b>
Hispanic	3.3%	4.8%	5.5%	<b>1%</b>
White	3.2%	3.1%	5.2%	<b>4.3%</b>



### Suspension Rate: 2025 School Subgroup Comparison

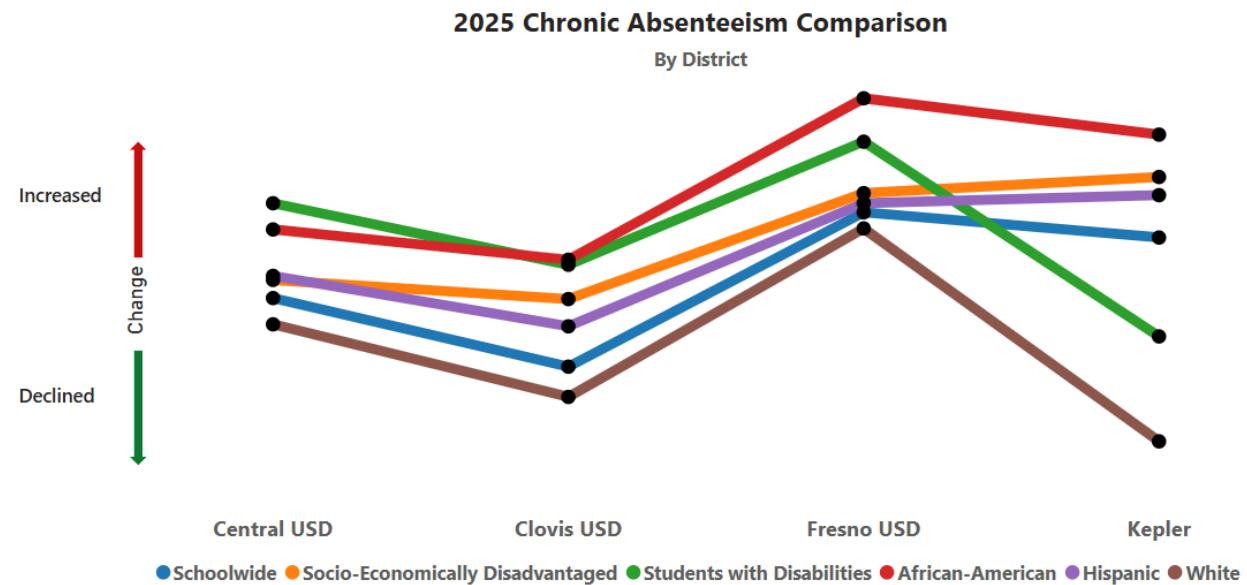
School	SED	Students with Disabilities	African-American	Hispanic	All Students
<b>Kepler</b>	<b>1.6%</b>	<b>0%</b>	<b>0%</b>	<b>1%</b>	<b>1.5%</b>
Columbia Elementary	2.6%	4.2%	7.8%	1.8%	2.6%
Edison-Bethune Charter	1.3%	0%	0.9%	1.4%	1.5%
Gaston Middle	20.9%	26.1%	35.7%	17.6%	20.4%
Jefferson Elementary	4.0%	6.9%	*	3.8%	4.0%
Lowell Elementary	0.5%	0%	0%	0.3%	0.5%
Tehipite Middle	18.8%	34.1%	44.1%	17.1%	18.4%
Yokomi Elementary	2.2%	7.8%	3.8%	1.6%	1.9%

### Chronic Absenteeism Kepler Schoolwide and Student Group



Student Group	2022	2023	2024	2025	Change
Schoolwide	<b>55.7%</b>	42.1%	38.3%	26.9%	-28.8%
SED	<b>62.3%</b>	45.8%	43.2%	32.9%	-29.4%
Students with Disabilities	<b>56%</b>	36.5%	<b>41.7%</b>	17.1%	-38.9%
African-American	<b>48.1%</b>	25.5%	<b>40.5%</b>	37.1%	-11%
Hispanic	<b>62.3%</b>	48.1%	40.6%	31.1%	-31.2%
White	<b>41.0%</b>	35.6%	22.9%	6.7%	-34.3%

### Chronic Absenteeism District Comparison



Student Group	Central USD	Clovis USD	Fresno USD	Kepler
All Students	20.9%	14.1%	29.4%	<b>26.9%</b>
SED	22.7%	20.8%	31.3%	<b>32.9%</b>
Students with Disabilities	30.3%	24.2%	36.4%	<b>17.1%</b>
African-American	27.7%	24.7%	40.7%	<b>37.1%</b>
Hispanic	23.1%	18.1%	30.3%	<b>31.1%</b>
White	18.3%	11.1%	27.8%	<b>6.7%</b>

### Chronic Absenteeism: School Subgroup Comparison

School	SED	Students with Disabilities	African-American	Hispanic	White	All Students
Kepler	32.9%	17.1%	37.1%	31.1%	6.7%	26.9%
Columbia Elementary	35%	38.4%	46.3%	33.5%	*	34.7%
Yokomi Elementary	20.2%	20.7%	22%	20.7%	5.4%	19%
Jefferson Elementary	24.9%	26.7%	*	24.7%	*	23.9%
Lowell Elementary	35.1%	40.0%	55.9%	31.3%	*	34.5%
Edison-Bethune Charter	22.2%	26.2%	33.7%	17%	*	21.2%
Tehipite Middle	37.2%	38.3%	65.6%	33.6%	*	36.3%
Gaston Middle	39.5%	45.9%	47.5%	37.8%	*	39.3



**V. CHARTER PETITION REVIEW COMMITTEE FINDINGS:**

Over the course of this petition review, the Committee performed an extensive review of the Kepler petition and supporting documents, audit reports, the California Accountability Dashboard, and CDE's DataQuest reporting system. Additionally, committee members attended the FCBE Public Hearing for Kepler on Thursday, January 15, 2026.

The Charter Committee has determined that the Renewal Petition meets the Education Code requirements for charter renewal and recommends that the Fresno County Board of Education **APPROVE** Kepler Neighborhood Charter's Petition for charter renewal for **FIVE** years.

