

CHARTER SCHOOL RENEWAL BEST PRACTICES

A guide through the charter school renewal process for authorizers, charter schools, and board members. Information provided within this document should be considered as guidance and not legal advice.

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OUR ORGANIZATION

The San Diego County Office of Education (SDCOE) ensures organizational efficiency by developing and administering oversight for the 11 SDCOE-authorized charter schools. The County Office also provides technical assistance and training to San Diego County charter schools and school districts related to charter school oversight, operations, and legal requirements.



san diego county office of
EDUCATION

FUTURE WITHOUT BOUNDARIESSM



LEGISLATIVE BACKGROUND



01

LEGISLATIVE BACKGROUND



AB 1505 (2019)

Made significant changes to charter school authorization and renewal.

Includes new timeline for petition reviews, renewal based on academic performance, assignment of high, middle and low performance categories, and updates to Dashboard Alternative School Status (DASS) school renewals

AB 130 (2021)

Extended the terms of charter schools whose terms would expire(d) on or between Jan. 1, 2022, and June 30, 2025, by two (2) years

SB 114 (2023)

Extended the terms of charter schools whose terms would expire(d) on or between Jan. 1, 2024, and June 30, 2027, by one (1) additional year



**LEGAL
STANDARD**

02

LEGAL STANDARD

Education Code Section 47607

- Renewal elements
- Academic criteria for High Performance category charter schools
- Criteria for Dashboard Alternative School Status (DASS) charter schools
- Denial process and criteria for substantial fiscal or governance concerns, or not serving all pupils who wish to attend
- Revocation process

Education Code Section 47607.2

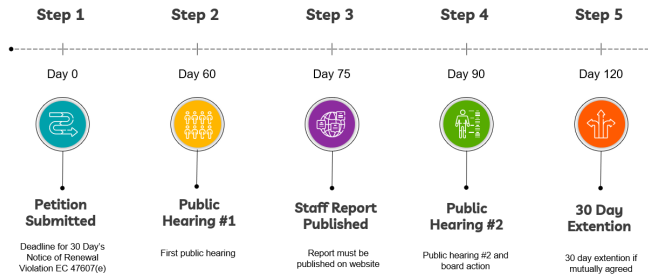
- Academic criteria for Low Performance and Middle Performance category charter schools

Education Code Section 47605

- Petition criteria for Low, Middle and High-Performance category charter schools
- Excludes both, section (§) 47605(a)(A) and (B) signature requirements; and 47605(c)(7) and (8) community and fiscal impact, from renewal petitions

RENEWAL TIMELINE

The timeline is based on a 60-75-90-day timeline.



ACADEMIC ACHIEVEMENT

Renewals are based primarily on academic achievement of students schoolwide, by major subgroup, and compared to the statewide average performance on the California School Dashboard.

CALIFORNIA DASHBOARD

Academic achievement on the California School Dashboard determines the charter school's performance category.

PERFORMANCE CATEGORY

A charter school's performance category determines whether the charter school may be renewed, and the length of term.



RENEWAL TIMELINE



PETITION RENEWAL REQUIREMENTS

A person wearing a white button-down shirt is shown from the chest down, leaning over a black filing cabinet. They are holding a white document with both hands, looking at it intently. The filing cabinet has several drawers, and the person's right hand is resting on the edge of one of the drawers. The background is softly blurred, showing what appears to be a window with light coming through.

MAJOR REQUIREMENTS

NEW REQUIREMENTS

A reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was last approved
EC § 47607(b)

PROGRAM

Presents a sound educational program
EC § 47605(c)(1)

IMPLEMENTATION

Petitioners are demonstrably likely to implement the program set forth in the petition
EC § 47605(c)(2)

AFFIRMATIONS

Contains the necessary affirmations and assurances
EC § 47605(c)(4)
EC § 47605(d)-(g)

PETITION ELEMENTS

Contains a reasonably comprehensive description of all 15 petition elements
EC § 47605(c)(5)(A)-(O)

DECLARATION

Contains a declaration of whether the charter school shall be deemed the public-school employer of charter school employees
EC § 47605(c)(6)

PERFORMANCE

Meets academic performance as indicated by academic performance category (High, Middle, or Low)
EC § 47607 & 47607.2

SUPPLEMENTAL INFO

- Financial and Administrative plan
- Facilities
- Impact Statement
- Special Education
EC § 47605(h)

NOTICE OF VIOLATION

- Demonstrably unlikely to successfully implement the program due to substantial fiscal or governance factors
- The charter school is serving all pupils who wish to attend
EC § 47607(e)

PERFORMANCE CATEGORIES

A close-up photograph of a business meeting. Several people are gathered around a table, looking at and pointing to various documents and charts. The documents feature pie charts, bar graphs, and data tables. The scene is brightly lit, and the focus is on the hands and the data being reviewed.

PERFORMANCE CATEGORY

HIGH

High Performance (EC § 47607)

Is not eligible for technical assistance (EC § 47607.3) **and**,

For the two (2) years prior to renewal:

- Received all **blue** or **green** on state indicators for schoolwide; **or**,
- For all measurements of academic performance, schoolwide performance is the same or higher than the statewide average, **and** a majority of subgroups performing below statewide average, performance is higher than the statewide average

MIDDLE

Middle Performance (EC § 47607.2)

Does not meet neither high or low performance category criteria

LOW

Low Performance (EC § 47607.2)

For the two (2) years prior to renewal:

- Received all **red** and **orange** schoolwide on the state indicators; **or**,
- For all measurements of academic performance, schoolwide performance levels are the same or lower than the state average, **and** for a majority of subgroups performing statewide below the state average, performances is lower than the state average.

HIGH

High Performance (EC § 47607)

Is not eligible for technical assistance (EC § 47607.3) **and**,

For the two (2) years prior to renewal:

- Received all **blue** or **green** on state indicators for schoolwide; **or**,
- For all measurements of academic performance, schoolwide performance is the same or higher than the statewide average, **and** a majority of subgroups performing below statewide average, performance is higher than the statewide average

REQUIREMENTS

Statutes

- EC § 47607(b) and EC 47607(c)(2)
- A chartering authority **shall approve** a charter school if it received the **High Performance category**

Term

Five (5) to Seven (7) Years

Petition Requirements

Petition includes a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed

APPROVED

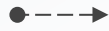
Reasons for Approval

- A chartering authority **shall approve** a charter school if it received the **High Performance category**

DENIED

Reasons for Denial

- The chartering authority **may deny** renewal of a charter school upon a finding that the school is demonstrably unlikely to successfully implement the program put forth due to substantial fiscal or governance factors **or** is not serving all pupils who wish to attend (EC § 47607(e)**



MIDDLE

Middle Performing (EC § 47607.2)

Does not meet neither high or low performing category criteria

REQUIREMENTS

Statutes

EC § 47607(b) and 47607.2(b)

Term

Five (5) Years

Petition Requirements

- Petition requirements of EC § 47605
- Petition includes a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

APPROVED

Reasons for Approval

The chartering authority shall:

- Provide greater weight to performance on measurements of academic performance
- Consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state and local indicators
- Consider clear and convincing evidence showing either of the following:
 - The school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school.
 - Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers

DENIED

Reasons for Denial

- The school has failed to meet or make sufficient progress toward meeting standards that provide benefit to the pupils of the school and closure is in the best interest of students
- The chartering authority may deny renewal of a charter school upon a finding that the school is demonstrably unlikely to successfully implement the program put forth due to substantial fiscal or governance factors or is not serving all pupils who wish to attend (EC § 47607(e))**

LOW

Low Performing (EC § 47607)

For the two (2) years prior to renewal:

- Received all **red** and **orange** schoolwide on the state indicators; **or**,
- For all measurements of academic performance, schoolwide performance levels are the same or lower than the state average, **and** a majority of subgroups performing statewide below the state average, performances is lower than the state average.

REQUIREMENTS

Statutes

- EC § 47607(b) and EC 47607.2(a)
- A chartering authority **shall deny** a charter school if it received the **Low Performance category**.

Term

Two (2) Years ****only if findings are met (see “Reasons for Approval” to the right)**

Petition Requirements

- Petition requirements of EC § 47605
- Petition includes a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed

APPROVED

Reasons for Approval

The chartering authority may renew charter school if:

- There is a finding of fact that the charter school is taking meaningful steps to address the underlying cause or causes of low performance as reflected in a written plan adopted by the charter school’s governing board and,
- There is clear and convincing evidence showing either the school has achieved measurable increases in academic achievement (a years’ progress per year), or strong postsecondary outcomes equal to similar peers

DENIED

Reasons for Denial

- The chartering authority may deny renewal of a charter school upon a finding that the school is demonstrably unlikely to successfully implement the program put forth due to substantial fiscal or governance factors or is not serving all pupils who wish to attend (EC § 47607(e))**

DASS

DASS (EC § 47607(c)(7))

Dashboard Alternative School Status (DASS) schools have their own renewal criteria and are not eligible to be placed in a performance category

REQUIREMENTS

Statutes

EC § 47607(c)(7)

Term

Five (5) Years

Petition Requirements

- Petition requirements of EC § 47605
- Petition includes a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

APPROVED

Reasons for Approval

The chartering authority shall:

- Consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state and local indicators
- Consider the charter school's performance on alternative metrics applicable to the charter school based on the pupil population served
 - Alternative metrics as determined in the first year of the charter school's term and mutually agreed upon

DENIED

Reasons for Denial

- Specific facts to support findings that closure is in the best interest of students
- The chartering authority may deny renewal of a charter school upon a finding that the school is demonstrably unlikely to successfully implement the program put forth due to substantial fiscal or governance factors or is not serving all pupils who wish to attend (EC § 47607(e))**

DENIAL REASONS

REQUIREMENTS OF DENIAL REASON EC § 47607(e)

The chartering authority may deny renewal of a charter school upon a finding that the school is demonstrably unlikely to successfully implement the program put forth due **to substantial fiscal or governance factors or is not serving all pupils who wish to attend** (EC § 47607(e))

DENIED

AUTHORIZER MUST:

- Provide at least a 30-day notice of alleged violation
- Provide the school with a reasonable opportunity to cure the violation, including a corrective action plan provided by the charter school
- After both of the above have been met, the Authorizer determines either of the following findings:
 - The corrective action proposed by the charter school has been unsuccessful
 - The violations are sufficiently severe and pervasive as to render a corrective action plan unviable

RENEWAL APPEALS

TIMELINE

A charter school may appeal the denial of a renewal petition within 30 days of the denial action taken, to the County Office of Education (COE)

COE REVIEW

COE must perform a de novo review of the petition submitted. If there are material changes to the petition submitted to the COE, it will be remanded back to the district for review and action



If County Board of Education approves the renewal, the COE will continue as the authorizing agency

COE ACTION

If the County Board of Education denies the renewal, the petitioner may submit an appeal to the State Board of Education (SBE). Appeals submitted to the SBE must be on grounds of an abuse of discretion

SBE APPEAL

RENEWAL CHECKLIST

05

RENEWAL CHECKLIST

| Governing Board | Resources/References |
|---|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Update board policies to reflect any legislative changes <input type="checkbox"/> Board information/communications: <ul style="list-style-type: none"> <input type="checkbox"/> Is the board informed about how charter school renewals work? <input type="checkbox"/> Does the board understand their role and responsibilities for charter renewals? | <ul style="list-style-type: none"> • California School Boards Association (CSBA) Gamut Online Policies • Alameda COE: Charter Authorizer Support Initiative (CASI) presentation on board communication for charter items |
| Internal Policies and Procedures | Resources/References |
| <ul style="list-style-type: none"> <input type="checkbox"/> Document internal policies and procedures for charter renewals <input type="checkbox"/> Establish timelines and a way of tracking deadlines <input type="checkbox"/> Determine how your local educational agency (LEA) will decide charter term for high performance category: <ul style="list-style-type: none"> <input type="checkbox"/> Locally established criteria for five (5), six (6), and seven (7) years <input type="checkbox"/> Board discretion, no criteria | <ul style="list-style-type: none"> • Timeline sample • Monday.com • Microsoft Project |

RENEWAL CHECKLIST

| Petition Review | Resources/References |
|---|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Determine members of the petition review team <input type="checkbox"/> Determine what legal counsel can support questions that arise, or portions of the review if needed <input type="checkbox"/> Petition Review Checklist (including renewal requirements) <input type="checkbox"/> Staff Report Template | <ul style="list-style-type: none"> • SDCOE Renewal Petition Checklist (also includes which staff are reviewing which sections) • Staff Report Samples |
| Items Needed for Review | Resources/References |
| <ul style="list-style-type: none"> <input type="checkbox"/> Charter petition submission from petitioner: <ul style="list-style-type: none"> <input type="checkbox"/> Petition and Appendices <input type="checkbox"/> Verified Data (if applicable) <input type="checkbox"/> Dashboard results for two (2) years prior to renewal: <ul style="list-style-type: none"> <input type="checkbox"/> State and Local Indicators <input type="checkbox"/> Schoolwide data <input type="checkbox"/> Data for all subgroups that the charter serves <input type="checkbox"/> California Assessment of Student Performance and Progress (CAASPP) Results for two (2) years prior to renewal: <ul style="list-style-type: none"> <input type="checkbox"/> May consider current CAASPP results, even if they are not reflected on the most recent Dashboard | <ul style="list-style-type: none"> • Consider utilizing OneDrive, Google Drive, Dropbox, or other alternative for receiving submission documents. Many of these documents are too large to submit via email. • Charter School Performance Tier • California School Dashboard • CAASPP Results |

RENEWAL CHECKLIST

| Items Needed for Review (Cont.) | Resources/References |
|---|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Fiscal or Governance Concerns: <ul style="list-style-type: none"> <input type="checkbox"/> Notice of Violation and supporting documentation <input type="checkbox"/> Charter response <input type="checkbox"/> Not Serving All Students Who Wish to Attend Concerns: <ul style="list-style-type: none"> <input type="checkbox"/> Notice of Violation <input type="checkbox"/> Supporting documentation <input type="checkbox"/> Charter response <input type="checkbox"/> Student Demographic Data: <ul style="list-style-type: none"> <input type="checkbox"/> Including students with disabilities, English Learners, Foster Youth, Homeless Youth <input type="checkbox"/> Charter school data <input type="checkbox"/> Geographic area data (local district(s) in which charter is located) <input type="checkbox"/> CDE Enrollment Data: <ul style="list-style-type: none"> <input type="checkbox"/> Request may be made at the conclusion of the year prior to the charter school's expiration (EC § 47607(d)(1)). | <p>Student Demographic Data:</p> <ul style="list-style-type: none"> • CDE Dataquest • Ed Data (Educational Data Partnership) • Local charter school data <p>CDE Enrollment Data:</p> <ul style="list-style-type: none"> • Requests should be made to: ResearchDataRequests@cde.ca.gov, including the authorizing agency's name, charter school's name, charter number, years of data requested, and EC reference that correlates to data requested. • https://www.cde.ca.gov/sp/ch/enrollmentdata.asp |

RENEWAL CHECKLIST

| Action Notifications | Resources/References |
|---|--|
| <p>After the governing board takes action, the following notifications are required to take place (EC § 47604.32(e) and CCR Title 5 11962.1):</p> <p>If Renewed:</p> <ul style="list-style-type: none"><input type="checkbox"/> Notification letter of action taken to CDE and SDCOE<input type="checkbox"/> CDE Renewal Coversheet<input type="checkbox"/> Provide a copy of the petition to both CDE and SDCOE<input type="checkbox"/> Provide a copy of the meeting minutes of the public hearing and action to both CDE and SDCOE<input type="checkbox"/> If low performing: A copy of the written plan adopted by the governing board of the charter school and charter board meeting minutes at which the plan was adopted. <p>If Denied:</p> <ul style="list-style-type: none"><input type="checkbox"/> Notification Letter of action taken to CDE<input type="checkbox"/> Notification Letter of action taken to SDCOE | <p>CDE Renewal Notifications:</p> <ul style="list-style-type: none">• https://www.cde.ca.gov/sp/ch/renewalprocess.asp#notify <p>SDCOE Notifications:</p> <ul style="list-style-type: none">• Please send notifications and additional documents of charter actions (approval or denial), to charters@sdcoe.net. |

RESOURCES



California Department of Education

- [CDE Charter Renewals](#)
- [Charter School Performance Category Data Files](#)
- [Determining Charter School Performance Categories](#)
- [Renewal Webinar \(2024\)](#)
- [California Charter Schools and Terms](#)
- [Approved Verified Data](#)
- Verified Data – [Definition of One Years' Growth](#)

SDCOE

- [Renewal Petition Review Matrix](#)
- [Sample Staff Reports](#)

THANKS

Does anyone have any questions?

Charter School Services Team

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