

**CHARTER SCHOOL RENEWAL**

The Board of Education believes that the ongoing operation of a charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner.

No charter school that submits a renewal petition shall be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)

Each renewal granted by the Board shall be for a period of five years.

**Submission of Renewal Petition**

A charter school seeking renewal of its charter is encouraged to submit its petition for renewal to the Board sufficiently early before the term of the charter is due to expire to allow the County Board's deliberations and decisions on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed.

**Criteria for Granting or Denying Renewal**

Renewals of all County Board approved charters shall generally be governed by the same standards and criteria that apply to charter authorization petitions as set forth in Education Code 47605. 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, which may be made only with the approval of the County Board in accordance with the standards and criteria in Education Code 47605. (Education Code 47607; 5 CCR 11966.5)

Charter renewal shall not be denied based on the fiscal impact of the charter school on the county office of education or a finding that the charter school is unlikely to serve the interests of the entire community in which the school is located, as described in Education Code 47605. However, the County Board may use either of these bases to deny a proposed expansion constituting a material revision. (Education Code 47607)

The signature requirement for new petitions is not applicable to petitions for renewal. (Education Code 47607)

The County Board shall consider the performance of the charter school on the state and local indicators included in the California School Dashboard. If the

Dashboard indicators are not yet available for the most recently completed academic year before renewal, the County Board 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. (Education Code 47607)

The County Board shall review both school-wide performance and the performance of numerically significant student subgroups on the state and local indicators included in the Dashboard, giving greater weight to performance on measurements of academic performance. In addition, the County Board shall consider clear and convincing evidence, demonstrated by verified data, showing either of the following: (Education Code 47607.2)

1. Measurable increases in academic achievement, as defined by at least one year's progress for each year in school
2. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers

Following such a review, any renewal approved by the County Board shall be granted for a period of five years. (Education Code 47607.2)

The County Board may deny a charter renewal only upon making written findings, setting forth specific facts to support the findings, of all of the following: (Education Code 47607.2)

1. The charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the students of the school.
2. Closure of the charter school is in the best interest of students.
3. The County Board's decision provided greater weight to performance on measurements of academic performance, if applicable.

Alternatively, the County Board may grant a renewal for a period of five to seven years to a charter school that: (Education Code 47607)

1. Is not eligible for technical assistance pursuant to Education Code 47607.3
2. Meets either of the following criteria for two consecutive years immediately preceding the renewal decision, on at least two measurements of academic performance per year, and for at least two student subgroups:
  - a. Has received the two highest performance levels school-wide on all the state indicators included in the Dashboard for which it receives performance levels

b. For all measurements of academic performance, has received performance levels school-wide that are the same or higher than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average

The County Board shall generally not renew a charter if either of the following applies for two consecutive years immediately preceding the renewal decision: (Education Code 47607.2)

1. The charter school has received the two lowest performance levels school-wide on all the state indicators included in the Dashboard for which it receives performance levels.

2. For all measurements of academic performance, the charter school has received performance levels school-wide that are the same or lower than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.

However, a charter school that meets one of these criteria may be granted a two-year renewal if the County Board makes written factual findings, setting forth specific facts to support the findings, for both of the following: (Education Code 47607.2)

1. The charter school is taking meaningful steps to address the underlying cause(s) of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.

2. There is clear and convincing evidence, demonstrated by verified data, showing either:

a. Measurable increases in academic achievement, as defined by at least one year's progress for each year in school

b. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers

A charter school that is eligible for the state's Dashboard Alternative School Status shall not be subject to any of the above criteria. Instead, in determining whether to grant a charter renewal for such a charter school, the County Board shall consider, in addition to the charter school's performance on the state and local indicators included in the Dashboard, the charter school's performance on alternative metrics applicable to the charter school based on the student population served. The County Board shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The County Board may deny a charter renewal only upon making written findings, setting forth specific facts to support the findings that the closure of the charter school is in

the best interest of students. (Education Code 47607). In addition to all grounds for denial of a charter petition stated above, the County Board may deny renewal of a charter 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 a finding that the school is not serving all students who wish to attend. Such findings shall be based on a review of aggregate data reflecting student enrollment patterns at the charter school, any data provided by the California Department of Education (CDE), and any substantiated complaints that the charter school has not complied with the suspension and expulsion procedures contained in the charter. The County Board may deny renewal of a charter school for such reasons 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 County Board may deny renewal only by finding that the corrective action proposed by the charter school has been unsuccessful or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable. (Education Code 47607)

**Timelines for Board Action**

Within 60 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input. A petition is deemed received on the day the petitioner submits a petition to the COE office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605, 47605.6)

The County Board shall either grant or deny the petition within 90 days of receiving the petition, or within 120 days with the consent of both the petitioner and the County Board. (Education Code 47605, 47605.6)

At least 15 days before the public hearing at which the County Board will grant or deny the charter, the County Board shall publish all staff recommendations, including the recommended findings, regarding the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605, 47605.6)

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied.

If the County Board does not grant or deny the petition for the renewal within the required time period, the charter school may submit the renewal petition to SBE, except that the County Board's denial of the renewal of a countywide charter is final and may not be appealed to SBE. (Education Code 47607, 47607.5; 5 CCR 11966.5)

If the petitioner appeals to SBE and requests a documentary record, including transcripts of the public hearing at which the County Board denied the charter, the documentary record shall be provided no later than 10 business days after the request. (Education Code 47605)

**School Closure**

If a charter is not renewed and the charter school ceases operation, the County Board and/or the charter school shall implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962. (Education Code 47603.32)

*Legal Reference:*

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992

52052 Alternative accountability system; definition of numerically significant student subgroup

56145-56146 Special education services in charter schools 60600-60649 Assessment of academic achievement CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools UNITED STATES CODE, TITLE 20

7223-7225 Charter schools

Policy

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**HUMBOLDT COUNTY OFFICE OF EDUCATION**

Eureka, California