

**BOARD POLICY**  
**Placentia-Yorba Linda Unified School District**

Philosophy/Goals/Objectives

0420.42 - BP

**CHARTER SCHOOL RENEWAL**

The Governing Board 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 will review the petition thoroughly and in a timely manner. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or pursuant to Education Code § 47605.9(b) for charters that were previously approved by the State Board of Education (SBE)

The Board shall deny the renewal petition of any charter school operated as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code § 47604(b))

When a charter school, concurrently with its renewal petition, proposes to expand operations to one or more additional sites or grade levels, the charter school shall request a material revision to its charter. The material revision may be made only with the approval of the Board and in accordance with the standards and criteria in Education Code § 47605 for material revisions. (Education Code § 47607(a)(3))

A charter school may submit its request for renewal on or after July 1 of the final year of its term. The availability of current statewide student performance data, other performance data, and the data to be provided by the CDE pursuant to Education Code Section 47607(d)(1) will provide important information relevant to the charter school's compliance with Education Code Sections 47607 and 47607.2's standards for charter renewal. The District strongly encourages charter schools to submit a request for renewal only after receiving and being authorized to share with the District documentation of statewide testing results from the penultimate year of the charter school's current charter term (i.e., the last year of operation preceding submittal of the request for renewal). The submittal of the renewal submission shall conform with the provisions of AR 0420.4.

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, and as necessary to reflect the current programs offered by the charter. (Education Code § 47607(b); 5 CCR 11966.4)

**Criteria for Granting or Denying Renewal**

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code § 47605. However, a charter renewal shall not be denied based on the fiscal impact of the charter school on the District or a finding that the charter school is demonstrably unlikely to serve the interests of the entire community in which the school is located as described in Education Code § 47605 (Education Code § 47607(a)(b).)

The signature requirement for charter authorization petitions is not applicable to petitions for renewal. (Education Code § 47607; 5 CCR 11966.4)

As an additional criterion for determining whether to grant a charter renewal, the Board shall consider the performance of the charter school on the state and local indicators included on the California School Dashboard. (Education Code § 47607(c)(1).) For this additional criterion, Education Code §§ 47607(c) and 47607.2 require a determination of whether a charter school seeking renewal is in the high, middle, or low performance category based on these performance results, or is a Dashboard Alternative

Accountability System ("DASS") school, and renewal of the charter petition may be granted in accordance with this tiered system as specified in those Education Code § provisions, and generally summarized, as follows:

1. Renewal of Five to Seven Years (Education Code § 47607(c)(2))

- a. A charter school that is not eligible for technical assistance pursuant to Education Code § 47607.3 shall be granted renewal for a period of five to seven years when, for two consecutive years immediately preceding the renewal or for two of the most recent years for which state data is available preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year, the charter school achieved either of the following: (Education Code § 47607)(c)(2)(A)-(E)
  1. For all measurements of academic performance, received performance levels schoolwide 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; or
  2. Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels.
- b. If the charter school satisfies the above criteria, it shall only be required to update the renewal petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and, as necessary, to reflect the current program offered by the charter school. (Education Code § 47607 (c)(2)(F))

2. Denial with Option for Two-Year Renewal ( Education Code § 47607.2(a)

- a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, or for two of the most recent years for which state data is available immediately preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year either of the following applies: (Education Code § 47607.2)
  1. The charter school has received the two lowest performance levels schoolwide 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 schoolwide 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.
- b. However, the Board may grant a two-year renewal to any such charter school if the Board makes written factual findings, setting forth specific facts to support the findings, that: (Education Code § 47607.2(a)(4)-(6)):
  1. The charter school is taking meaningful steps to address the underlying causes 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; and
  2. Clear and convincing evidence, demonstrated by verified data from sources adopted by the State Board of Education, showing either of the following:

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

3. Renewal of Five Years (Education Code § 47607.2(b))

- a. A renewal for five years may be granted to charters for which the criteria in sections 1 and 2 above do not apply. The Board shall consider schoolwide performance and performance of all pupil subgroups on the state indicators included on the Dashboard and the performance of the charter school on the local indicators included in the Dashboard. The Board shall provide greater weight to performance of measurements of academic performance in determining whether to grant renewal. (Education Code § 47607(b)(1)(2)(7))
- b. The Board shall also consider if clear and convincing evidence, demonstrated by verified data from sources adopted by the State Board of Education, shows either of the following: (Education Code § 47607.2(b)(3)(4))
  - 1. Measurable increases in academic achievement, as defined by at least one year's progress for each year in school; or
  - 2. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.
- c. For any such charter school, the Board may deny the renewal petition upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure of the charter school is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance. (Education Code § 47607.2(b)(6))

4. A charter school that qualifies 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 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 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 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 the grounds stated above for denial of a charter renewal, the 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. When denying a charter renewal for either of these reasons, the Board shall provide the charter school at least 30 days' notice of the alleged violation and a reasonable opportunity to cure the violation including the submission of a proposed corrective action plan. The Board may deny the renewal for these reasons only upon a finding that either 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. Any finding that a school is not serving all students who wish to attend shall specifically identify the evidence supporting the finding such as data provided by the California Department of education reflecting pupil enrollment patterns and any substantiated complaints that the charter school has not complied with Education Code § 47605(c)(5)(J). (Education Code § 47607)

When determining whether to grant renewal, the board shall review data reflecting people movement patterns and data provided by the California Department of education and any substantiated complaints that the charter school has not complied with Education Code § 47605(c)(5)(J).

### **Timelines for Board Action**

The board recognizes the seriousness and complexity of and the time required for staff's task in reviewing and analyzing a charter petition (initial petition, request for material revision, and/or renewal) and determining and publishing recommendations and recommended findings in accordance with the standards and requirements of the Charter Schools Act. As such, absent extenuating circumstances, the board expects the District to make use of the full time allotted in the Charter Schools Act for the scheduling of the public hearing, publication of staff's recommendations and recommended findings, and board action on any charter petition submitted to the board. Such actions generally should not be unnecessarily rushed or combined at the same board meeting.

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 from district teachers, other district employees, and parents. A petition is deemed received 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. (Education Code § 47605(b))

The Board shall either grant or deny the charter renewal within 90 days of receiving the petition. The date may be extended by an additional 30 days if both the petitioner and the Board agree to the extension. (Education Code § 47605) The Board hereby grants authority to the Superintendent or designee to agree in writing to an extension of time to act on a renewal request. (Education Code § 47605(b))

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

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. (Education Code § 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may appeal the decision pursuant to the procedures pertaining to denial of a petition to establish a charter school provided in Education Code § 47605(k) for review in accordance with Education Code § 47607 (Education Code § 47605.5(a)).

### **School Closure**

If a charter is not renewed and the charter school ceases operation, the charter school shall implement the closure procedures specified in the charter in accordance with Education Code § 47605 and 5 CCR 11962. (Education Code §§ 47604.32, 47605)

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 California Assessment of academic achievement

CODE § OF REGULATIONS, TITLE 5  
11960-11969 Charter schools

UNITED STATES CODE, TITLE 20  
7221-7221j Charter schools

Management Resources:

#### CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course  
Charter Schools: A Manual for Governance Teams, rev. 2016

#### WEB SITES

CSBA: <http://www.ccsa.org>  
California Charter Schools Association: <http://www.calcharters.org>  
California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/ch>  
National Association of Charter School Authorizers: <http://www.qualitycharters.org>  
U.S. Department of Education: <http://www.ed.gov>

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