

Charter School Renewal

The Yolo County Board of Education (“County Board”) and the Yolo County Superintendent of Schools (“Superintendent”) believe that the ongoing operation of a charter school should be dependent on the charter school’s effectiveness in achieving its mission and goals for student learning and other student outcomes. When a charter school submits a petition for renewal of its charter, the County Board shall review the petition in accordance with the timelines set out in the Education Code.

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.) 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 County Board and in accordance with the standards and criteria in Education Code 47605 for material revisions. (Education Code 47607.)

Submission of Renewal Petition

The County Board recommends that a charter school submit its petition for renewal sufficiently early in the last year of the current term to allow the Board’s deliberations and decision on the renewal petition to be completed in ample time to allow students and staff to plan appropriately for the following year(s) and to allow the County Board’s deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school’s educational program in the renewal year. Renewal requests, including all required documents, may be submitted only during the last year of the charter’s current term, and should be submitted only when the school’s California Dashboard data and state-wide testing data from the immediately preceding two years of the charter’s operations, including the data from the penultimate year of the charter’s current term are available, and should be submitted by no later than February 1st.

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met and will continue to meet all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607.)

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 or 47605.6, as applicable. However, a charter renewal of a district appeal charter shall not be denied based on the fiscal impact of the charter school on the district where the charter school is located 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(c)(7) and (8). (Education Code 47607.)

The signature requirement for charter authorization petitions is not applicable to petitions for renewal.

In determining whether to grant a charter renewal, the County Board shall consider both schoolwide performance and the performance of numerically significant student subgroups on the state and local indicators included in the California School Dashboard, giving greater weight to performance on measurements of academic performance. 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. The County Board shall only consider data from sources adopted by State Board of Education. (Education Code 47607, 47607.2.)

Following the County Board's review and consideration of a charter renewal request in conformance with the standards and criteria of Education Code 47605 or 47605.6, a charter petition renewal may be granted in accordance with a three-tiered system based on school performance, as specified in Education Code 47607 and 47607.2 and generally summarized below (Education Code 47607, 47607.2.)::

1. Renewal of Five to Seven Years

- a. This option is not available to charter schools that are eligible for technical assistance pursuant to Education Code 47607.3. A renewal for a period of five to seven years may be granted to a charter school that and that, for two consecutive years immediately preceding the renewal decision, achieved either of the following: (Education Code 47607.)
 - i. Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels. This renewal criterion shall apply only if the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years; OR
 - ii. For all measurements of academic performance, (a) received performance levels schoolwide that are the same or higher than the state average and, (ii) 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. This renewal criterion shall apply only if the charter school has performance levels on at least two measurements of academic performance for at least two subgroups.

- 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.)

2. Denial with Option for Two-Year Renewal

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

- i. 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. This renewal criterion shall apply only if the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years; OR
- ii. 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. This renewal criterion shall apply only if the charter school has performance levels on at least two measurements of academic performance for at least two subgroups.

- b. However, the County Board may grant a two-year renewal to any such charter school if the County Board makes written factual findings, setting forth specific facts to support the findings, that:

- i. 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.
- ii. There is clear and convincing evidence, demonstrated by verified data, as defined in Education Code 47607.2(c), 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 A renewal for five years may be granted to charters for charter schools for which the criteria 1 and 2 above do not apply: (Education Code 47607, 47607.2.)

- a. The County 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 County Board shall provide greater weight to performance of measurements of academic performance in determining whether to grant renewal.
- b. The County Board shall also consider if clear and convincing evidence, demonstrated by verified data, as defined in Education Code 47607.2(c), shows either of the following: (Education Code 47607.2.)
 - i. Measurable increases in academic achievement, as defined by at least one year's progress for each year in school; or
 - ii. 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 on the basis of this performance 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, if applicable, that the County Board's decision provided greater weight to performance on measurements of academic performance. (Education Code 47607.2.)

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 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 Superintendent or designee 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 pursuant to this paragraph 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. Consideration of whether to renew any charter will include review of aggregate data provided by the California Department of Education ("CDE") pursuant to Education Code 47607(d) reflecting student enrollment patterns at the charter school, any data provided by the CDE, and any substantiated complaints that the charter school has not complied with the suspension and expulsion procedures contained in the charter, memorandum of understanding, and/or addendum to the memorandum of understanding and mandated by Education Code 47605(c)(5)(J) or 47605.6(b)(5)(J), as applicable. 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 the submission of a corrective action plan proposed by the charter school.. The County 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. (Education Code 47607.)

Procedures

The County Board will hold the public hearing and take action on the renewal request within the timelines specified in the Charter Schools Act.

At least 15 days before the public meeting at which the County Board will grant or deny renewal of the charter petition, the County Board shall publish all staff recommendations, including the recommended findings regarding the petition. During the public meeting at which the County Board will take action on the renewal petition, 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 CDE, 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 submit its the petition to the State Board of Education (SBE), except the County Board's denial of the renewal of a countywide charter pursuant to Education Code 47605.6 is final and may not be appealed to SBE. (Education Code 47605, 47605.6, 47607.5.)

School Closure

If a charter is not renewed and the charter school ceases operation, the school closure procedures specified in the charter in accordance with Education Code 47605 or 47605.6 and 5 CCR 11962 shall be implemented. (Education Code 47604.32, 47605, 47605.6.)

Legal References:

Education Code, 47604, 47604.32, 47605-47608,
California Code of Regulations, Title 5, 11962, 11962.1,

ADOPTED: 11/7/22
REVISED: [7-21-23]