

MENDOCINO COUNTY OFFICE OF EDUCATION

Board Policy 0420.42 Renewal Of County Charter Schools

The County Board of Education believes that the ongoing operation of an established charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. The County Board shall only consider renewal petitions of charters originally authorized by the County Board itself or by the State Board of Education (SBE) on appeal after initial denial by the County Board.

(cf. [0420.4](#) - Authorization of County Charter Schools)

(cf. [0420.41](#) - Oversight of County Charter Schools)

(cf. [0420.44](#) - Appeals of District Decisions Regarding Charter Schools)

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](#))

The County Board recommends that a charter school submit its petition for renewal to the County Board sufficiently early before the expiration of the term of the charter 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.

A 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. (Education Code [47607](#); 5 CCR [11966.5](#))

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 schoolwide 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 schoolwide 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 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

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 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.

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 County Board Action

Within 60 days of the receipt of the renewal petition, the County 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 County Board shall notify CDE within 10 calendar days of granting or denying the renewal of the charter. (Education Code [47604.32](#); 5 CCR [11962.1](#))

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](#) 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

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Guide for Governance Teams, rev. 2016

WEB SITES

CSBA: <http://www.csba.org>

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

U.S. Department of Education: <http://www.ed.gov>

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