

Strategizing for Charter Renewal

**Are you Ready for Renewal?
Have you crossed your T's and dotted your I's?**

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Workshop Goals

- Understand Charter Law for Renewals
- Assist Charter Schools in Developing their Renewal Strategies
- Answer Questions from Charter Schools





When Does My Charter Expire?



Legal Authority

- Ed Code § 47607
 - May grant one or more renewals
 - Material revisions must be approved by granting agency
 - Renewals governed by “standards and criteria” of Section 47605
 - Each renewal must be five years
 - Renewals (and material revisions) shall include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.



“Standards and Criteria” for Renewal (Ed Code Section 47605)

- Same process and standards used to judge new charter petition
 - Timelines
 - Public hearing requirement
- Legislative intent: “charter schools are and should become an integral part of the educational system and establishment of charters should be encouraged.”
- Shall grant if consistent with sound educational practice



“Standards and criteria” continued...

Shall not deny unless district makes written factual findings that:

- (1) Presents “unsound educational program”
- (2) Operators are “demonstrably unlikely to successfully operate the program”
- (3) Charter is missing required affirmations
- (4) Charter does not contain reasonably comprehensive description of the 16 required elements
- (5) Signature requirement? Typically resolved in Board policy or via discussion with granting agency.



SBE Regulations on CS Approval 5 CCR 11967.5.1

- “Unsound educational program”: “A program that involves likelihood of physical, educational, or psychological harm to students” or is a program “that is not likely to be of educational benefit to pupils who attend.”



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SBE Regulations on CS Approval cont. 5 CCR 11967.5.1

- “Demonstrably unlikely to successfully implement program”: If operators have past history working with CS that was revoked; operators are unfamiliar with charter and law; or petitioners have presented unrealistic financial or operational plan.



SBE Regulations on CS Approval cont. 5 CCR 11967.5.1

- “Consistent with sound educational practice” if it is likely to be of educational benefit to pupils who attend.”
- “A charter need not be designed to meet the educational needs of every student who seeks to enroll.”



Required Affirmations – Education Code Section 47605(d)

- Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Shall not discriminate against any pupil on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]



Required Affirmations cont. – Education Code Section 47605(d)

- Shall admit all students who wish to attend the Charter School, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing. Admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. [Ref. Education Code Section 47605(d)(2)(A)-(B)]
- If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- (See sample affirmations in packet)



Elements of a Charter

The petition must contain reasonable comprehensive descriptions of the following 16 elements:

- | | |
|---------------------------|-------------------------------------|
| Educational Program | Financial Audit |
| Measurable Pupil Outcomes | Student Suspension/Expulsion |
| Outcome Measurement | Employee Retirement |
| Governance Structure | Student Attendance Alternatives |
| Employee Qualifications | Return Rights of District Employees |
| Health and Safety | Dispute Resolution |
| Racial and Ethnic Balance | Collective Bargaining (EERA) |
| Admission Requirements | Procedures for Closure (sample) |



AB 1137

To be renewed, once a charter school has been in operation for four years, a charter school shall meet at least ONE of the following criteria prior to receiving renewal:

- (1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.
- (2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
- (3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.



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AB 1137, cont.

(4) (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

(B) The determination made pursuant to this paragraph shall be based

upon all of the following:

(i) Documented and clear and convincing data.

(ii) Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools.

(iii) Information submitted by the charter school.

(5) Has qualified as an ASAM School.



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“Hot Topics”

- “Extension” versus Renewal
- Academic Achievement Benchmarks (Is AB 1137 a floor or a ceiling?)
- Conflicts of Interest
- Financial Health



Renewal Strategies

- Make your best play
(drafting tips for a strong renewal charter)
- Quarterbacking Tips
(How to manage the re- authorization process.)
- Read your playbook
(Required reading list)
- Don't forget your equipment
(Recommended list of supplemental information)



Questions, Final Thoughts

