



Charter School Petition Renewal Process Effective July 1, 2020

The information contained in this document is intended to assist charter school petitioners in submitting a renewal charter petition to the Orange County Board of Education (OCBE). Orange County Department of Education (OCDE) staff are available to answer questions regarding the charter school renewal process. Contact the Charter Schools Unit at (714) 966-4381 to speak to a representative or to schedule an appointment.

I. RENEWAL PROCESS

A. Criteria for Submission

EC § 47607

1. A complete Charter School Renewal Package (see section II for information regarding the Charter School Renewal Package) must be submitted to OCBE no less than 120 days prior to the expiration of the current charter term. Submission dates are coordinated with OCDE Charter Schools Unit staff.
2. The charter petition must be submitted along with a signed [Petitioner Certification](#) that the petitioner deems the submitted petition to be complete and a completed [Petition Intake Information](#) form.
3. A charter petition is deemed received by OCBE, for purposes of commencing the timelines, on the day the petitioner submits a complete Charter School Appeal Package to Orange County Department of Education, Charter Schools Unit, 200 Kalmus Drive, Costa Mesa, 92626.

B. Concurrent Material Revisions

A charter school that, concurrently with its renewal, proposes to expand operations to one or more additional sites or grade levels (or include other changes considered material) shall request a material revision to its charter petition. The governing board of the charter school and OCBE must approve any amendment that would constitute a material revision of the charter petition in accordance with Education Code section 47607. The charter petition submitted for renewal must include the material revision(s) requested “redlined.” Identify deleted language by strikeout and new language by underline.

C. Charter School Petition Review

EC § 47605(c)

OCDE staff shall review the renewal petition pursuant to Education Code section 47605(c) utilizing the [Charter School Petition Evaluation Matrix](#) adapted from the Charter Accountability Resource and Support Network Authorizers Guide.

D. Public Hearing to Consider Level of Support**EC § 47605(b)**

OCBE will hold a public hearing on the provisions of the charter petition no later than 60 days after receiving a charter renewal submission for the purpose of considering the level of support for the petition by teachers employed by the school district, other employees of the school district and parents. Charter school and school district representatives are allotted 15 minutes each to address the Board. Any documents or digital presentations utilized on that day must be submitted 48 hours prior to the board meeting.

E. Clarification Meeting

A clarification meeting may take place with the charter school petitioners and the OCDE petition review team, and may include legal counsel as necessary. The meeting will take place at the Orange County Department of Education, 200 Kalmus Drive, Costa Mesa, 92626, or via teleconference. Information garnered from the meeting may be included in the published staff recommendation, including the recommended findings. Topics discussed may include, but are not limited to, additions and revisions to comply with applicable laws, student achievement data, modifications to the academic program, remediation of issues of concern in prior charter term and plans for corrective action during the next charter term.

F. Staff Recommendation and Recommended Findings**EC § 47605(b)**

OCDE staff recommendations, including the recommended findings will be published 15 days before the public hearing at which OCBE will take action to either grant or deny the revised charter petition.

G. Public Hearing to Grant or Deny Charter Petition**EC § 47605(b) & (c)**

Within the guidelines delineated in Education Code section 47605, OCBE will take action to grant or deny the charter petition renewal within 90 days of receipt of the petition, unless an extension not to exceed 30 days has been agreed to by the charter school petitioner and OCBE.

At the public hearing at which OCBE will take action to grant or deny the charter petition renewal, the petitioners shall have 10 minutes or equivalent time, whichever is longer, to present evidence and testimony responsive to the OCDE staff recommendation and findings.

II. CHARTER SCHOOL RENEWAL PACKAGE

A complete Charter School Renewal Package consists of seven (7) binders and seven (7) flash drives containing the following items with tabs/folders separating each of the sections:

III.**A. Charter School Petitioner Certification and Intake Information Forms**

1. Signed [Petitioner Certification](#) that the petitioner deems the submitted petition to be complete.
2. Completed [Petition Intake Information](#) form.

B. Charter School Petition Evaluation Matrix

Insert the petition page numbers in the far right column of the [Charter School Petition Evaluation Matrix](#) entitled: "Located on Page(s)" to indicate where the information can be found within the charter petition.

C. Charter School Board Approval

Documentation that the charter school governing body has approved the renewal petition and submission of the renewal petition to OCBE (board resolution, meeting minutes).

D. Charter Petition

An updated "redlined" charter petition that includes reasonably comprehensive descriptions of any new requirements 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. Identify deleted language by strikeout and new language by underline (Flash drives must include Microsoft Word format).

E. State Indicator Performance Criteria

Documentation that supports the minimum standard for charter renewal as defined in Education Code section 47607. This section of Education Code specifies state indicator performance criteria that a charter school must meet in order to be eligible to renew.

The law provides an exemption for alternative schools designated as Dashboard Alternative School Status (DASS) that requires an alternative process for review. OCDE Charter Unit staff shall meet with the charter school representatives for schools designated as DASS during the first year of the charter school's term to determine alternative metrics to be considered. Alternative metrics must be research-based and verifiable by OCDE.

F. Budget and Finance

1. Financial statements and a proposed operational budget, including startup costs, cash flow and financial projections for the first three years of operation (Flash drives must include Microsoft Office Excel format with formulas and no password protection).
2. If the budget contains grants, loans and/or donations, include corresponding award letters, loan agreements and/or pledge letters.

III. CRITERIA FOR RENEWAL

The California Department of Education (CDE) will provide a list annually of all open charter schools that will identify whether the school falls in the Low, Middle or High tracks. OCBE will use the CDE list as well as conduct data analysis to determine which tier a charter school falls. A charter school shall have schoolwide performance levels on at least two measurements of academic performance per year in each of the two consecutive years immediately preceding the renewal decision in order to determine the high- and low-performing tracks. A charter school without sufficient performance

levels shall be considered in the middle-performing track pursuant to Education Code section 47607.2.¹

A. High Performing Criteria

Education Code § 47607(c)

OCDE SHALL RENEW a charter school that for two consecutive years immediately preceding renewal either:

1. Scored green or blue schoolwide on all state indicators on the Dashboard; OR
2. 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 subgroups² performing statewide below the state average in each respective year, received levels that are higher than the state average.

For charter schools satisfying the high performing criteria above:

- 5-7-year renewal term.
- Only required to update petition to include reasonably comprehensive description of any new requirements, and as necessary to reflect the current program offered by the charter school.
- Charter schools eligible for technical assistance are not eligible for renewal under the high performing criteria

B. Middle Performing Criteria

Education Code § 47607.2(b)

Charter schools not satisfying the “high performing” or “low performing” criteria should be evaluated under the following criteria:

1. Shall consider schoolwide performance and performance of all subgroups on the Dashboard, and shall provide “greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.”
2. Shall also consider clear and convincing evidence, demonstrated by verified data³ showing either:
 - a. The school achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school; OR
 - b. Strong postsecondary outcomes equal to similar peers.

¹ Due to the COVID-19 pandemic, a majority of California Dashboard results for the 2019-20 school year will be unavailable. For schools renewing in 2020-21, CDE renewal tiers will be based on the 2017-18 and 2018-19 Dashboard data. Accordingly, pursuant to AB 1505, all schools will be placed in the middle-performing track absent the production of a 2020 Dashboard.

² Numerically significant pupil subgroups include all of the following consisting of at least 30 pupils: Ethnic subgroups, socioeconomically disadvantaged pupils, English learners, pupils with disabilities, foster youth (at least 15 pupils) and homeless youth (at least 15 pupils).

³ Other verified data may be considered for the next two subsequent renewals until January 1, 2026.

OCBE MAY DENY ONLY upon making written findings that:

1. The charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to pupils of the school; AND
2. The closure is in the best interest of the pupils; AND
3. The decision provided greater weight to the performance on measurements of academic performance

For charter schools satisfying the middle performing criteria above:

- 5-year renewal term

C. Low Performing Criteria

Education Code § 47607.2(a)

OCBE SHALL NOT RENEW a charter that for two consecutive years immediately preceding renewal either:

1. Scored red or orange schoolwide on all state indicators on the Dashboard; OR
2. For all measures of academic performance, received performance levels schoolwide that are the same or lower than the state average, AND for a majority of subgroups performing statewide below the state average in each respective year, received levels that are lower than the state average.

OCBE MAY RENEW ONLY upon making both of the following written factual findings:

1. The charter school is taking meaningful steps to address the underlying cause(s) of low performance, which are or will be written in a plan adopted by the governing body of the charter school; AND
2. There is a clear and convincing evidence, demonstrated by verified data⁴, showing either:
 - a. The school achieved measurable increases in academic achievement, as defined by at least on year's progress for each year in school; OR
 - b. Strong postsecondary outcomes equal to similar peers.

For charter schools satisfying the low performing criteria above:

- 2-year renewal term.

IV. ALTERNATIVE ACCOUNTABILITY (DASS) CHARTER SCHOOLS

EC § 47607.3(i)

In determining whether to grant a charter renewal for an alternative accountability model charter school, the following will be considered:

- A. Performance on the state and local indicators identified and monitored on the CA Dashboard.
- B. Performance on alternative metrics applicable to the charter school based on the student

⁴ Verified data considered until 6/30/2025 for a school operating on or before 6/30/2020 for the next two subsequent renewals.

population served.

V. NONRENEWAL

Renewals shall be governed by the same standards and criteria that apply to a new charter petitions as set forth in Education Code section 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 unlikely to serve the interests of the entire community in which the school is located. Consequently, a renewal petition shall not be denied unless the OCBE makes written factual findings that support one or more of the following:

1. The charter school will provide an unsound educational program for students during the term of its charter.
2. The charter school is demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the necessary affirmations set forth in the Charter Schools Act.
4. The petition does not contain reasonably comprehensive descriptions of the fifteen required elements set forth in the Charter Schools Act.
5. The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of collective bargaining pursuant to Government Code sections 3540-3549.3.

VI. ADDITIONAL DENIAL CRITERIA

OCBE 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 section 47604)

Notwithstanding Education Code sections 47607(c), 47607.2(a) and 47607.2(b), pursuant to 47607(e), OCBE MAY ALSO DENY RENEWAL of any charter school upon a finding that:

1. The charter school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors; OR
2. The charter school is not serving the pupils who wish to attend, as documented by Education Code section 47607(d)

OCBE must provide 30 days' notice with a reasonable opportunity to cure the violation AND make a finding that either:

1. The corrective action proposed by the charter school has been unsuccessful; OR
2. The violations are sufficiently severe and pervasive as to render a corrective action unviable

VII. RESOURCES

Orange County Board of Education charter schools board policies

<https://ocde.us/Board/Pages/Board-Policies.aspx>

Orange County Board of Education meeting schedule and information

<https://ocde.us/Board/Pages/Meeting-agendas-minutes-and-audio.aspx>

Orange County Department of Education Charter Schools Unit website

<https://ocde.us/qlcp/CharterSchools/Pages/default.aspx>
