# Charter School Performance Categories and Renewals: 2024 Charter School Renewals

California Department of Education

Charter Schools Division

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## Agenda

* Overview of Charter School Renewal Process, according to California *Education Code (EC)*
* Renewal Process for Each Renewal Track
* Opportunities for Charter Schools to Appeal
  + State Board of Education (SBE) Meetings and Deadlines
* Additional Resources Available Online

Note that this webinar does not cover the renewal process for charter schools with Dashboard Alternative School Status (DASS) (See *EC* Section 47607[c][7] for more information) or charter schools currently authorized by the SBE (See *EC* Section 47605.9 for more information).

## *Education Code*: Renewal Standards

The California Legislature’s Leginfo website provides up-to-date information on statutes at [https://leginfo.legislature.ca.gov](https://leginfo.legislature.ca.gov/). Third-party websites are not recommended.

* There are two main *EC* sections that cover nearly all charter school renewals:
  + *EC* 47607—for charter schools in the high renewal track
  + *EC* 47607.2—for charter schools in the low and middle renewal tracks

Note that *EC* sections 47607 and 47607.2 also contain additional information about renewals in general.

* Pursuant to *EC* 47607, renewals are subject to the standards and criteria described in *EC* 47605, which covers the establishment of charter schools and the requirements of charter petitions.
* Renewal petitions must include any new requirement of charter schools enacted in law.
* Authorizers must consider a charter school’s California School Dashboard (Dashboard) data.

### Education Code: Performance Categories

There are three different tracks for renewals. These processes vary based on the school’s Dashboard data from the most recent two years.

* Renewal tracks are determined by a charter school’s performance category (*EC* sections47607 and 47607.2) based on the following criteria:
  + Criterion 1: overall school performance
  + Criterion 2: performance of specific student groups
* Dashboard data determines placement in high, middle, or low renewal track.
* This presentation was developed specifically for renewals of charter schools whose term ends June 30, 2025.

### High Renewal Track

California *Education Code* Section 47607 provides information regarding the high renewal track.

* There are 210 charter schools in the high track, which is 18.3 percent of all charter schools in California.
* Authorizers “shall not deny renewal…” (see exception below).
* A charter school in this track may be renewed for five, six, or seven years.
* The petitioner is only required to update the petition to include reasonably comprehensive descriptions of new legal requirements.
* Authorizers may deny renewal of a charter school in the high renewal track, pursuant to *EC* Section 47607(e), which requires a 30-day notice of violation and an opportunity for the charter school to cure the violation.

### Middle Renewal Track

California *Education Code* Section 47607.2(b) provides information regarding the middle renewal track.

* There are 842 charter schools in the middle track, which is 73.3 percent of all charter schools in California.
* Authorizers must consider the following:
  + Dashboard data, schoolwide and for student groups, giving greater weight to English Language Arts (ELA), Math, the English Learner Progress Indicator (ELPI), and the College/Career Indicator (CCI)
  + Clear and consistent evidence, demonstrated by verified data, of either:
    - Measurable increases in academic achievement
    - Strong postsecondary outcomes
* A charter school in this track may be renewed for a five-year term.
* Petitions are subject to the standards and criteria set forth in *EC* Section 47605.
* Authorizers may deny renewal to charter schools in the middle track in accordance with *EC* Section 47607(e) or *EC* Section 47607.2(b)(6).

### Low Renewal Track

California *Education Code* Section 47607.2(a) provides information regarding the low renewal track.

* There are 97 charter schools in the low track, which is 8.4 percent of all charter schools in California.
* Authorizers “shall not renew...” In order to renew a charter school in this category, the authorizer must find the following:
  + Meaningful steps to address the underlying cause or causes of low performance.
  + Clear and consistent evidence, demonstrated by verified data, of either:
    - Measurable increases in academic achievement (1 year progress for each year in school)
    - Strong postsecondary outcomes (college enrollment, persistence, and completion rates)
* If renewed, a charter school in this track may be renewed for a two-year term.
* Petitions are subject to all the standards and criteria set forth in *EC* Section 47605.
* This subdivision of California *Education Code* does not give criteria for denying renewal since the denial is presumed; it instead gives the requirements that must be met to renew the charter.

#### Community and/or Fiscal Impact

California *Education Code* Section 47607.2(a) provides information regarding the community and fiscal impact as they relate to the review of a charter school petition.

* *EC* sections 47605(c)(7) and 47605(c)(8) may not be used to deny renewal of an existing charter school.
* These statutes may be used to deny a material revision for proposed expansion but is limited to consideration only of the impact of the proposed material revision.

## Charter School Opportunities for Appeal

If the district denies the renewal, then the charter school may submit an appeal to the county board of education.

* The appeal must be submitted within 30 days of the district’s denial.
* Pursuant to *EC* 47605(c), the county will evaluate the charter school petition in accordance with *EC* 47605 in what is often called a “de novo” review.

If denied by the county, charter school may submit to the SBE.

* The appeal must be submitted within 30 days of the county’s denial.
* Pursuant to *EC* 47605(k)(2),the SBE will review the documentary record and determine whether to hear or summarily deny the appeal. If the SBE hears the appeal, the SBE will then review the district’s and county’s denials of the charter school petition. The charter school petitioner must show that both the district and the county abused their discretion in denying the charter school renewal. Materials for past abuse of discretion appeals can be found on the SBE website.

You are encouraged to consult with your legal counsel if undergoing the appeal process.

### SBE Appeal Submission Deadlines

Upcoming deadlines for submitting appeals to the SBE are as follows:

* Appeals for the September 11–12, 2024, SBE meeting must be submitted by May 27, 2024. These appeals will also be reviewed by the Advisory Commission on Charter Schools (ACCS) on August 6, 2024.
* Appeals for the November 13–14, 2024, SBE meeting must be submitted by July 29, 2024. These appeals will also be reviewed by the ACCS on October 8, 2024.

At the time of this presentation, submission deadlines for 2025 SBE meetings have not yet been posted. SBE meetings are in odd-numbered months, and deadlines are typically four months in advance to meeting dates.

SBE appeals must be submitted within 30 days of the denial by the county board.

Deadlines are available on the CDE California State Board of Education Appeals web page at <https://www.cde.ca.gov/sp/ch/sbeappeals.asp>.

## Additional Resources

* CDE Charter Schools web page: <https://www.cde.ca.gov/sp/ch/>
* CDE Performance Categories web page: <https://www.cde.ca.gov/sp/ch/performcategory.asp>
  + Letter: Release of Charter School Performance Category Data File
  + Flyer: Determining Charter School Performance Category
* CDE Charter Renewals web page: <https://www.cde.ca.gov/sp/ch/renewalprocess.asp>
* CDE Verified Data web page: <https://www.cde.ca.gov/sp/ch/verifdata.asp>
* CDE California State Board of Education Appeals web page: <https://www.cde.ca.gov/sp/ch/sbeappeals.asp>

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