California Department of Education
Charter Schools Division
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**ADVISORY COMMISSION ON CHARTER SCHOOLS**AN ADVISORY BODY TO THE STATE BOARD OF EDUCATION

# December 2024 AgendaItem #01

## Subject

Petition for the Renewal of a Charter School Authorized by the California State Board of Education: Consideration of High Tech High Statewide Benefit Charter.

## Type of Action

Action, Information, Public Hearing

## Summary of the Issue

On January 12, 2017, the California State Board of Education (SBE) granted High Tech High Statewide Benefit Charter (Charter School) a renewal for a five-year term beginning July 1, 2017, and ending June 30, 2022. Subsequently, pursuant to California *Education Code* (*EC*) Section 47607.4, the term ending date was extended to June 30, 2025.

The Charter School is comprised of nine schools located on three campuses throughout San Diego County, with an elementary school, middle school, and high school on each campus as summarized in the below table.

Table. High Tech High Statewide Benefit Charter Campuses, School Names, and Districts

| **Campus** | **School Names** | **District(s)** |
| --- | --- | --- |
| North County | High Tech Elementary North CountyHigh Tech Middle North CountyHigh Tech High North County | San Marcos Unified |
| Mesa | High Tech Elementary Mesa High Tech Middle MesaHigh Tech High Mesa | San Diego Unified |
| Chula Vista | High Tech Elementary Chula VistaHigh Tech Middle Chula VistaHigh Tech High Chula Vista | Chula Vista Elementary and Sweetwater Union High |

The SBE originally approved the Charter School under *EC* Section 47605.8 as a statewide benefit charter on January 12, 2006, and most recently approved the renewal of the Charter School on January 12, 2017. *EC* Section 47605.8 was subsequently repealed, and *EC* Section 47605.9 was enacted, wherein subdivision (c) states the following:

A charter school operating under a charter approved by the state board pursuant to Section 47605.8, as that section read on January 1, 2019, may continue to operate under the authority of that chartering authority only until the date on which the charter is up for renewal. The charter school shall submit a petition for renewal to the state board.

The Charter School is the only remaining charter school approved by the SBE as a statewide benefit charter and seeks the SBE’s approval of its renewal petition.

## Proposed Recommendation

The California Department of Education (CDE) proposes to recommend that the SBE hold a public hearing to approve the Charter School’s renewal petition for a term of five years, beginning July 1, 2025, and ending June 30, 2030. The CDE’s recommendation is based on a review of the Charter School’s performance on the California School Dashboard (Dashboard), measurable increases in academic achievement equivalent to one year’s progress for each year in school, and strong postsecondary outcomes.

The CDE proposes the following technical amendment as a condition of approving the Charter School renewal petition:

The Charter School revises its charter to state that a Home Language Survey will be completed upon a student’s initial enrollment at a California public school.

## Standard of Review

In accordance with *EC* sections 47605, 47607, and 47607.2, review of the Charter School’s renewal petition shall consider the performance of the Charter School on the state and local indicators.

*EC* Section 47605(c) provides that the chartering authority must determine if a charter school’s petition “is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate,” which includes review by the CDE of the 15 required elements specified under *EC* Section 47605(c)(5)(A)–(O) and as summarized in Attachment 1 on page 4.

## Academic Criteria for Renewal

*EC* sections 47607 and 47607.2 set forth three performance categories of charter renewal. A charter school’s placement in these categories is determined by its performance on the Dashboard.

**High Performing Category**

Charter schools meeting criteria defined in *EC* Section 47607(c)(2) are identified by the CDE in the high performing category and shall be granted, except upon a finding under *EC* Section 47607(e). Charter schools identified in the high performing category are eligible for renewal terms of five to seven years.

**Low Performing Category**

Charter schools meeting criteria defined in *EC* Section 46707.2(a) are identified by the CDE in the low performing category and shall be denied unless the requirements of *EC* Section 47607.2(a)(4) are met. If approved, charter schools identified in the low performing category are limited to a renewal term of two years.

**Middle Performing Category**

Charter schools that do not meet the criteria of *EC* sections 47607(c)(2) or 46707.2(a) are identified by the CDE in the middle performing category. For these charter schools, pursuant to *EC* Section 47607.2(b):

1. …[T]he chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 and the performance of the charter school on the local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.
2. The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.
3. In addition to the state and local indicators, the chartering authority shall consider clear and convincing evidence showing either of the following:
	1. The school achieved 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.
4. Subparagraphs (A) and (B) of paragraph (3) shall be demonstrated by verified data….”

If approved, charter schools identified in the middle performing category are eligible for a renewal term of five years.

### Schoolwide Performance on California School Dashboard

The following table displays the Charter School’s renewal categories based on each school’s performance on the Dashboard.

Table. Renewal Categories for Schools

| **Name of School** | **Renewal Category** |
| --- | --- |
| High Tech Elementary North County | Middle Performing |
| High Tech Middle North County | Middle Performing |
| High Tech High North County | Middle Performing |
| High Tech Elementary Mesa | Middle Performing |
| High Tech Middle Mesa | High Performing |
| High Tech High Mesa | Middle Performing |
| High Tech Elementary Chula Vista  | Middle Performing |
| High Tech Middle Chula Vista | Middle Performing |
| High Tech High Chula Vista | Middle Performing |

The majority of the schools, eight out of nine, were identified by the CDE to be in the middle performing category. Accordingly, the CDE recommends a five-year renewal term for the Charter School, beginning July 1, 2025, and ending June 30, 2030.

#### Measurements of Academic Performance

The following table displays the Charter School’s and statewide average distance from standard on English Language Arts (ELA) and Mathematics (Math) as reported on the 2023 Dashboard.

Table. 2023 Dashboard for English Language Arts and Mathematics

| **Subject** | **Charter School** | **Statewide** |
| --- | --- | --- |
| ELA |  -2.0 | -13.6 |
| Math | -48.5 | -49.1 |

Based on the 2023 Dashboard, the following table displays the Charter School’s and statewide outcomes for the English Learner Progress Indicator (ELPI) and the College/Career Indicator (CCI). The ELPI reports the percentage of English Learner (EL) students making progress on the English Language Proficiency Assessments for California (ELPAC). The CCI reports the percentage of high school graduates considered prepared for college or a career.

Table. 2023 Dashboard for English Learner Progress Indicator and College/Career Indicator

| **Criteria** | **Charter School** | **Statewide** |
| --- | --- | --- |
| ELPI | 59.0% | 48.7% |
| CCI | 50.1% | 43.9% |

#### Measurements of Academic Engagement

The following table displays the Charter School’s and statewide outcomes for academic engagement based on the 2023 Dashboard. The Chronic Absenteeism figure represents the percentage of students in kindergarten through grade eight who were absent for 10 percent or more instructional days they were enrolled. The Graduation Rate represents the percentage of students who graduate high school within a specified timeframe.

Table. 2023 Dashboard for Chronic Absenteeism and Graduation

| **Criteria** | **Charter School** | **Statewide** |
| --- | --- | --- |
| Chronic Absenteeism | 21.4% | 24.3% |
| Graduation Rate | 98.0% | 86.4% |

#### Measurements of Conditions and Climate

The following table displays the Charter School’s and statewide suspension rates, which represent the percentage of students who were suspended for a total of one full day or more during the school year based on the 2023 Dashboard.

Table. 2023 Dashboard for Suspension

| **Criteria** | **Charter School** | **Statewide** |
| --- | --- | --- |
| Suspension Rate | 2.1% | 3.5% |

As summarized above, the Charter School outperformed statewide averages on all seven state indicators based on the 2023 Dashboard.

### Increases in Academic Achievement Demonstrated by Verified Data

The Charter School reported administering the Measures of Academic Progress (MAP) assessment developed by the Northwest Evaluation Association (NWEA), an SBE-approved source of verified data, to over 95 percent of its students since Fall 2021. NWEA recommends its conditional growth index (CGI) as a measure for determining whether students made one year’s progress, where a CGI of -0.2 to 0.2 represents one year’s progress. Over the course of the 2023–24 school year, the Charter School’s average CGI result was -0.1, falling within the one year’s progress range recommended by NWEA.

### Postsecondary Outcomes Demonstrated by Verified Data

The Charter School’s petition includes College-Going Rate data gathered from CDE DataQuest, which is an SBE-approved source of verified data. The Charter School’s College-Going Rate exceeds countywide and statewide outcomes both schoolwide and for socio-economically disadvantaged (SED) students. The Charter School’s student groups’ College-Going Rates are above statewide levels. More information on the Charter School’s College-Going Rates can be found on pages 11–14 of Attachment 2.

## Fiscal Analysis

The CDE reviewed the Charter School’s three-year budget and finds that the Charter School’s financial plan appears to be reasonable.

The Charter School enrolls students from transitional kindergarten to twelfth grade.

The Charter School’s actual enrollment for 2023–24 and projected enrollment for the next three years 2025–26, 2026–27, and 2027–28 show stability and are reasonable projections in all nine schools.

Table. Actual Enrollment and Projected Enrollment

| **School** | **Actual Enrollmentfor 2023–24** | **Projected Enrollment for 2025–26 to 2027–28** |
| --- | --- | --- |
| High Tech Elementary North County | 445 | 444 |
| High Tech Middle North County | 332 | 336 |
| High Tech High North County | 401 | 400 |
| High Tech Elementary Mesa | 444 | 448 |
| High Tech Middle Mesa | 338 | 336 |
| High Tech High Mesa | 431 | 430 |
| High Tech Elementary Chula Vista | 446 | 444 |
| High Tech Middle Chula Vista | 335 | 336 |
| High Tech High Chula Vista | 642 | 658 |
| **Total** | **3,814** | **3,832** |

The Charter School’s fiscal year (FY) 2024–25 preliminary budget report shows all nine schools are projecting positive ending fund balances and reserve percentages above the recommended 5 percent outlined in the Memorandum of Understanding (MOU) with SBE.

Table. Ending Fund Balance and Reserve Percentage

| **School** | **Ending Fund Balance FY 2024–25** | **Reserve Percentage** |
| --- | --- | --- |
| High Tech Elementary North County | $2,287,370 | 36.86% |
| High Tech Middle North County | $3,324,483 | 75.39% |
| High Tech High North County | $3,457,187 | 59.67% |
| High Tech Elementary Mesa | $1,091,112 | 18.34% |
| High Tech Middle Mesa | $1,267,028 | 30.25% |
| High Tech High Mesa | $1,921,676 | 31.60% |
| High Tech Elementary Chula Vista  | $2,554,019 | 40.52% |
| High Tech Middle Chula Vista | $2,239,913 | 52.52% |
| High Tech High Chula Vista | $4,684,676 | 50.41% |

The Charter School maintains its reserve amounts to ensure cashflow for non-district facility leasing expenses, to buffer against increasing costs for health care and pension expenses, and in anticipation of the potential for state funding deferrals and emergencies.

Additionally, the CDE reviewed audited financial data from the Charter School’s 2022–23 independent financial audit report, which reflected an unqualified status with positive ending fund balances for each school and reserves designated for economic uncertainty above the recommended 5 percent.

The Charter School’s projected financial plan appears fiscally sustainable. The CDE concludes that the Charter School’s multi-year budget provides for projected operating surpluses, increasing positive fund balances, and adequate reserves.

## Charter Elements

The CDE finds the Charter School’s renewal petition provides a reasonably comprehensive description of the elements required by *EC* Section 47605(c). A review of each element is provided in Attachment 1.

## Technical Amendment

In the plan for ELs, the Charter School’s renewal petition on page 27 states that Home Language Surveys will be administered upon a student’s enrollment to the Charter School. Home Language Surveys are required to be given upon a student’s first enrollment in any California public school. The CDE recommends a technical amendment for the Charter School’s renewal petition to state that a Home Language Survey will be administered to a student enrolling in the Charter School if it is the student’s initial enrollment in a California public school.

Table. Current Renewal Petition and Proposed Renewal Petition

| **Current Renewal Petition Language on Page 27** | **Proposed Renewal Petition Language for Page 27** |
| --- | --- |
| HTH will administer a home language survey upon a student’s initial enrollment into HTH schools. Students who indicate that their primary language is other than English will be given the Initial English Language Proficiency Assessments for California (“ELPAC”) to determine their English language proficiency status. | HTH administers a home language survey upon a student’s initial enrollment into HTH schools if that enrollment is their first enrollment in a California public school district pursuant to *EC* Section 52164.1. HTH performs a review of incoming student cumulative files in order to determine if a home language survey is necessary. If enrollment to a HTH school is the student’s first enrollment in a California public charter school, and the enrollment forms indicate that their primary language is other than English, that student shall be given the Initial English Language Proficiency Assessments for California (“ELPAC”) to determine their English language proficiency status. |

## Past History Under California State Board of Education Authorization

Since its establishment, the Charter School has operated under the authorization of the SBE, with oversight responsibilities delegated to the CDE Charter Schools Division, and has been in good standing with its chartering authority.

On August 18, 2020, the CDE issued the Charter School a Letter of Concern as a result of a low projected fund balance for the Charter School’s newest school, High Tech Elementary Mesa. As detailed in the fiscal analysis above, the fiscal concern has been resolved. The CDE has no outstanding concerns regarding the Charter School.

Over the course of its current term, the CDE has found the Charter School to be in compliance with its charter and the MOU between the SBE and the Charter School.

## Conclusion

In summary, the CDE proposes to recommend the SBE approve the Charter School’s renewal petition, for a term of five years beginning July 1, 2025, and ending June 30, 2030, with the above-proposed technical amendment.

The Charter School meets the requirements for charter renewal under *EC* Section 47607.2. The Charter School exceeds statewide outcomes on all Dashboard state indicators, and verified data demonstrate increases in academic achievement and strong postsecondary outcomes. The CDE has found no evidence of fiscal or governance factors that would hinder the Charter School’s ability to successfully implement the program set forth in the petition. The CDE has also found no evidence that the charter school is not serving all pupils who wish to attend.

A comprehensive review of the Charter School’s renewal petition can be found in Attachment 1.

## Attachments

* **Attachment 1:** California Department of Education Charter School Petition Review Form: High Tech High Statewide Benefit Charter (35 Pages)
* **Attachment 2:** High Tech HighStatewide Benefit Charter Petition for Renewal (68 Pages)
* **Attachment 3:** High Tech High Statewide Benefit Charter Budget and Financial Projections (10 Pages)
* **Attachment 4:** High Tech High Statewide Benefit Charter Articles of Incorporation, Bylaws, and Conflict of Interest Policy (29 Pages)
* **Attachment 5:** High Tech High Statewide Benefit Charter Appendices and Supporting Documents (156 Pages)